

CRM-M-21877-2020

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-21877-2020

Date of decision: 02.11.2021

Amandeep Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Yashpal Thakur, Advocate,
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.21 dated 17.03.2019, registered at Police Station Sadar Rajpura, District Patiala, under Section 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that even the alleged recovery of intoxicant tablets had not been effected from the conscious possession of the petitioner; that the petitioner has been in custody since 18.03.2019 and the prosecution witnesses are yet to be examined. In such circumstances, conclusion of the trial would take a long time. Moreover, the petitioner is not involved in any other case, much less of a similar nature.

On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, submits that the

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recovery effected from the petitioner falls under the commercial quantity. He also submits that out of 12 prosecution witnesses, 06 witnesses have been examined. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

Challan stands presented. The petitioner has been in custody since 18.03.2019 and the prosecution witnesses are yet to be examined. The fact remains that trial is unlikely to conclude any time soon. The petitioner is not involved in any other case, at least of a similar nature. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

02.11.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No