

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

CRM-M-22094-2020 (O&M)

Date of decision: 05.02.2021

Gurtej Singh @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Naveen Bawa, Advocate
for the applicant-petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-2260-2021

Allowed as prayed for.

Documents are taken on record as Annexure P-7 and P-8.

Main case

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 40 dated 12.04.2019, registered under Section 15/22/25 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Hathur, District Ludhiana (Rural).

Learned counsel for the petitioner submits that as per the version in the FIR, 20 Kgs. of poppy husk and 5000 loose intoxicant tablets were recovered from the petitioner.

Learned counsel further submits that petitioner is not involved in any other case and is in judicial custody for the last about 01 year and 03 months and out of total 12 prosecution witnesses, none has been examined

so far.

Learned State counsel has filed the custody certificate and has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the long custody of the petitioner and also in view of the fact that though the trial Court has started functioning in actual mode, however, keeping in view the huge backlog of cases, it would not be possible for the trial Court to record statements in all the cases and conclusion of trial may take some time, the instant petition is disposed of and the petitioner is ordered to be released on interim bail till 31.05.2021 on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, if the trial Court, after assessing the situation, finds that the evidence is to be recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

05.02.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No