

CRM-M-28794-2021

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

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Date of decision: 02.08.2021

Prem Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.64 dated 23.03.2019, registered at Police Station Sardulgarh, District Mansa, under Sections 22 and 25 NDPS Act, 1985.

Learned counsel further contends that the petitioner is neither a driver nor an owner of the car from which the recovery of intoxicant tablets had been effected; that he has been in custody since 27.03.2019; that there is no other case pending or registered against him, and that co-accused, namely Kulwant Singh and Gopi Singh stand released on bail. There is no other case pending or registered against the petitioner.

On the other hand, learned State counsel opposes the prayer made in the present petition and submits that the recovery effected in the present case falls under the commercial quantity. However, he does not

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dispute the custody period of the petitioner. Challan stands presented, but no prosecution witness has been examined so far.

I have heard the learned counsel for the parties.

Challan has been presented. No witness has been examined so far. The petitioner has been in custody since 27.03.2019. He is not involved in any other case. Trial is unlikely to conclude any time soon, especially due to Covid-19 situation. 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.

02.08.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No