

202

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

CRM-M-28956-2021(O&M)

Date of decision :02.08.2021

Rinku Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Taranjit Kaur Hundal, Advocate for the petitioner.

Mr.V.G.Jauhar, Sr. DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This is the second application preferred by the petitioner seeking regular bail pending trial in FIR No.0035 dated 10.04.2017, under Section 22 of the NDPS Act, 1985 and Sections 420, 465, 468, 471, 474 IPC, registered at Police Station Lohian, District Jalandhar Rural.

Counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 1.5 Kilograms of Dextropropoxyphene Hydrochloride was effected.

Undoubtedly the recovery effected from the petitioner would be construed as heavy and commercial quantity.

Date of arrest of the petitioner is 10.04.2017.

Mr.Jauhar, learned Sr.DAG, Punjab informs the Court that as regards trial, out of ten prosecution witnesses cited, only four have been examined till date.

The trial as such would take time to conclude.

The right of an accused to a speedy trial cannot be denied.

This Court is inclined to accept the prayer made in the petition keeping in view the length of incarceration already undergone i.e. in excess of 4 years and 3 months as of date.

As such without opining on the merits of the case petition is allowed.

Petitioner be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Jalandhar.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.08.2021
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No