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

**CRM-M-22689-2019
Date of decision-05.01.2021**

Manpreet Singh

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manvinder Sidhu, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.0060 dated 14.03.2019 registered under Section 22 (C) Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 18 (C) Drugs and Cosmetics Act, 1940 at Police Station City Mandi, District Sirsa. The petitioner is in custody since his arrest on 14.03.2019.

As per the prosecution case, on 14.03.2019, when Police officials were present at Bus Stand at Village Masita, in connection with patrol duty, a silver car was seen. On suspicion, the vehicle was signalled to stop and the driver of the said vehicle tried to turn back, however, the police officials apprehended the driver. Upon search, a plastic bag containing 18 vials of Onerex cough syrup and 30 strip of Carisoprodol tablets were recovered from Manpreet Singh (petitioner).

Learned counsel for the petitioner contends that after framing of charges on 04.09.2019, only three prosecution witnesses have been examined so far out of total 16 witnesses and the trial will take considerable time to conclude. He further contends that there is no other case against the petitioner of similar nature. He prays that the petitioner be released on bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Balwan Singh has opposed the prayer on the ground that the recovered contraband falls within the ambit of commercial quantity, therefore, the petitioner does not deserve the concession. He has further produced the custody certificate dated 04.01.2021 filed by way of affidavit of Ramesh Kumar, DSP, Deputy Superintendent, District Prison, Sirsa which indicates that the petitioner is in custody for the last approximately one year and ten months and he is involved in three theft cases, but is on bail in all those cases.

After hearing the learned counsel for the parties, this Court finds that though the trial has commenced, but is progressing at a slow pace. The material witnesses are the police officials and there does not seem to be any possibility of their being won over. Apart from it, as per custody certificate, the petitioner is not involved in any other case of similar nature, therefore, considering his custodial period, this Court finds it to be a fit case for grant of regular bail as the trial may consume considerable time to conclude because of the outbreak of pandemic COVID-19 in the region. Presently, the petitioner is confined in judicial custody since his arrest on 14.03.2019, and his further detention may not be necessary for any useful purpose.

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

05.01.2021

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No