

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

217

CRM-M-35175-2021(O&M)
Date of decision: 06.12.2021

Satwant Singh @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. P. S. Sekhon, Advocate for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

HARNARESH SINGH GILL , J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.35 dated 29.04.2021 under Sections 15 and 29 of NDPS Act, 1985 registered at Police Station Cheema District Sangrur.

Learned Counsel for the petitioner submits that the present FIR was registered when a truck had been intercepted and two bags containing 55 kgs of poppy husk were recovered from its cabin. The petitioner was driving the truck and co-accused Jagsir Singh @ Kala, was sitting on the conductor seat. Both of them were apprehended at the spot itself. It is further submitted that co-accused Jagsir Singh @ Kala who is alleged to be the conductor, has already been granted the concession of regular bail by the co-ordinate Bench of this Court vide order dated 24.09.2021, whereas the petitioner has been in custody since 29.04.2021.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel submits that as the contraband falls under the commercial quantity, the petitioner does not deserve the concession of bail. He further submits that challan in the present case has already been presented.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.04.2021 and co-accused Jagsir Singh @ Kala has already been granted bail by co-ordinate Bench of this Court vide order dated 24.09.2021. Therefore, keeping in view the fact that trial is likely to take time to conclude as 18 prosecution witnesses are yet to be examined, 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.

06.12.2021
Riya

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No