

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

205

CRM-M-30304-2020(O&M)
Date of Decision:- 28.09.2021

Balbir Singh @ Bali

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.S.Sekhon, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG Haryana
assisted by ASI Sajjan Singh

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered vide FIR No.477, dated 08.09.2018, Police Station Sadar Ratia, under Sections 22-B and 27-A of the NDPS Act.
2. As per the case of the prosecution, the petitioner was found in possession of 400 tablets weighing 344 grams, which upon chemical analysis were found to contain 'Tramadol Hydrochloride'.
3. Learned counsel has submitted that the petitioner has been behind bars since the last three years and that the trial is proceeding at a snail's pace and as such the ends of justice demand that the petitioner be given concession of bail as he cannot be kept behind the bars for an indefinite period.

4. Opposing the petition, learned State counsel has submitted that since it is a case of commercial quantity of contraband, the petitioner does not deserve the concession of bail. Learned State counsel has however, not disputed the fact that the petitioner has been behind bars since the last more than three years. It has also been informed that although the petitioner had earlier been involved in two other cases, but he stands acquitted.
5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case, but while noticing that the petitioner has virtually a clean record and already stands acquitted in two other cases which are stated to be registered against him and that he has been behind the bars for a substantial period of more than three years and the conclusion of trial is likely to consume time as only 03 out of the cited 14 PWs have been examined, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

28.9.2021*neenu***(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No