

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 30463 of 2020

Date of Decision: 30.7.2021

Angrej Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. M.S.Sidhu, Advocate
for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is the second petition under Section 439 Cr.P.C. for regular bail in case FIR No. 103 dated 03.7.2019 under Sections 21 and 29 (added later on) of the NDPS Act, 1985 registered at Police Station City Patti, District Tarn Taran.

Custody certificate by way of affidavit of Deputy Superintendent, Central Jail, Amritsar dated 30.7.2021 has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case; that the petitioner has also been falsely implicated in FIR No. 101 dated 02.7.2019 registered under Section 21 and 29 of the NDPS Act, registered at Police Station City Patti, District Tarn Taran and in the said FIR, he is on anticipatory bail and that the petitioner has been in custody for the last 02 years and 25 days.

On the other hand learned State counsel, while opposing the bail petition, submits that the petitioner was apprehended with 325 gram of heroin, on the basis of a secret information, and the said recovery falls under the commercial quantity. However, he has not disputed the custody period of the petitioner. Learned State counsel also does not dispute that in FIR No. 101 dated 2.7.2019, the petitioner is on bail. He further submits that challan has been presented and the charges are yet to be framed.

I have heard the learned counsel for the parties.

As per the custody certificate, the petitioner has been in custody for the last 02 years and 25 days. Challan has been presented but the charges are yet to be framed. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

July 30, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No