

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.33923 of 2020

Date of Decision: February 19, 2021

Angrej Khan @ Soni @ Jakku

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sumeet Puri, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.142 dated 08.08.2019, under Sections 22 and 29 N.D.P.S.Act, 1985, registered at Police Station, Dirba, District Sangrur. The petitioner is in custody since his arrest on 11.08.2019.

As per the FIR, on 08.08.2019, on the basis of a secret information received by the police, the accused was apprehended and 1500 intoxicant tablets of Clovidol 100-SR were recovered from his possession without any permit or licence.

Learned counsel for the petitioner contends that the charges in this case were framed on 14.02.2020 and only one prosecution witness out of total sixteen witnesses, has been examined so far. According to him, the petitioner is not involved in any other case of similar nature, therefore, considering his custodial period, he be released on bail as the trial is likely

to take some time to conclude.

On the other hand, the prayer is opposed by the learned State counsel, assisted by SI Satgur Singh, on the ground that the recovered contraband would fall within the category of commercial quantity. He has produced the custody certificate of the petitioner to contend that he is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this Court finds that the charges in this case were framed on 14.02.2020 and the petitioner is not involved in any other case, much less of similar nature, therefore, considering the above background and the custodial period of the petitioner, this Court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 11.08.2019. Further, the prosecution is yet to examine its remaining witnesses and it may take considerable time to conclude the trial. All the witnesses are police officials and there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and 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/Duty Magistrate, Sangrur.

February 19, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No