

CRM-M-40368-2021

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

CRM-M-40368-2021

Date of decision: 10.12.2021

Bakshish Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ranwant Sangha, Advocate for
Mr. Aminder Singh, Advocate,
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.223 dated 22.11.2019, registered at Police Station Sadar Sangrur, District Sangrur, under Sections 22 and 29 NDPS Act.

Status report dated 10.12.2021, by way of affidavit of the Deputy Superintendent of Police, Sub Division, Sangrur, has been filed in the Court today. The same is taken on record.

Learned counsel for the petitioner contends that no recovery had been effected from the petitioner; that co-accused, Hakam Singh from whom the recovery of intoxicant tablets had been effected, stands enlarged on bail by this Court, vide order dated 08.09.2021 passed in CRM-M-8571-2021, and that the above-noted FIR had been registered against the petitioner, when he was in custody in some other case bearing FIR No.222 dated 21.11.2019, under Sections 22 and 29 NDPS Act, Police Station

CRM-M-40368-2021

Sadar Sangur, and he stands released on bail therein.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner for the bail, submits that the petitioner is a habitual offender and that he had allegedly supplied 6000 tablets of Clovidol-100-SR, to co-accused, Hakam Singh from whom the recovery had been effected. The prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The present FIR was registered against the petitioner, when he was in custody in some other case. As noticed above, co-accused Hakam Singh from whom the recovery had been effected, stands enlarged on bail. The petitioner has been in custody since 22.11.2019. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, 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.

10.12.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No