

CRM-M-40779-2021

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

CRM-M-40779-2021

Date of decision: 10.11.2021

Hardeep Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Suran Singh Rana, Advocate,
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.22 dated 21.02.2019, registered at Police Station Longowal, District Sangrur, under Sections 22 and 29 NDPS Act, 1985 and Section 473 IPC (added later on vide DDR No.12 dated 27.02.2019).

Learned counsel for the petitioner contends that the petitioner was allegedly driving the motor-cycle whereas recovery of intoxicant tablets/injections had allegedly been effected from the conscious possession of pillion rider i.e. co-accused, namely Kamaldeep Singh @ Kamal, who stands enlarged on regular bail by this Court vide order dated 10.09.2021 passed in CRM-M-11549-2021. The petitioner has been in custody since 23.02.2019. There is no other case pending or registered against the petitioner, at least of a similar nature. Out of 11 prosecution witnesses, none has been examined so far.

CRM-M-40779-2021

On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, submits that a huge recovery of intoxicant tablets/injections had been effected from the petitioner. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

In the present case, though the recovery effected in the present case falls under the commercial quantity, yet the fact remains that the petitioner has been in custody since 23.02.2019. Trial is unlikely to conclude any time soon. There is no other case pending or registered against the petitioner, at least of a similar nature. Moreover, as stated above, co-accused Kamaldeep Singh @ Kamal stands enlarged on regular bail. 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.

10.11.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No