

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.37677 of 2020
Date of Decision: November 08, 2021

Baljinder Singh @ Bindi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.B.S.Jatana, Advocate,
for the petitioner.

Mr.Ramdeep Partap Singh, 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.112 dated 27.07.2020, under Sections 22, 25 N.D.P.S.Act, 1985 and Section 29 (added later on), registered at Police Station, Sadar Budhlada, District Mansa, who is in custody since his arrest on 27.07.2020.

As per the FIR, 1200 tablets of Alprazolam 0.50 and 350 tablets of Clovidol 100-SR were recovered from the conscious possession of the accused on 27.07.2020 without any permit or licence.

Learned counsel for the petitioner has argued that though the final report was filed on 13.01.2021, whereupon the charges were framed on 05.02.2021, but till date no prosecution witness has been examined. He has submitted that the petitioner is not involved in any other case and as the trial is likely to consume considerable time to conclude, therefore, the petitioner

be released on regular bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Darshan Singh. However, it is not disputed by him that no prosecution witness has been examined so far and that the petitioner is not involved in any other case.

After hearing the learned counsel for the parties and considering the above background, this court finds that the trial is yet to commence and as the petitioner is not involved in any other case, therefore, considering his period of custody, this court does not find any reason to decline the prayer, particularly when the prosecution witnesses are the police officials and there is no 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/CJM/Duty Magistrate, Mansa.

November 08, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No