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

**CRM-M-37753-2020
Date of decision-22.02.2021**

Amarjit Rajbhar @ Amarjit Singh**....Petitioner**

Vs.

State of Punjab**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.0001 dated 01.01.2020 registered under Sections 22, 29, 61 and 85 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Samana, District Patiala. The petitioner is in custody since his arrest on 15.07.2020.

As per the prosecution case, on 01.01.2020, when Police officials were patrolling at Bus Stand Thethal, a secret information was received that Satpal Singh @ Sattu being engaged in selling of intoxicant tablets would be coming in Alto Car bearing No.PB-11-BY-5749 from village Thethal to Bus Stand. Acting upon the same, barricades were laid near bridge of Bhakhra canal village, where a white alto car was seen coming from village Thethal side. The car was signalled to stop, but the accused managed to escape, however, later on he was arrested and 25000

intoxicant tablets of Clovidol-100 SR were recovered.

Learned counsel for the petitioner contends that in the secret information, co-accused, namely, Satpal @ Sattu was named and recovery was also made from the vehicle bearing No.PB-11 BY-5749 driven by him. According to him, even the said accused fled away from the spot and was arrested later on. It is submitted by him that the petitioner was indicted as an accused on the basis of the disclosure statement suffered by Satpal Singh. He submits that case set up by the prosecution against the petitioner is comparatively based upon a weak evidence and therefore, further custody would not be necessary as the trial is yet to progress. He prays for bail.

On the other hand, learned State counsel assisted by ASI Mahia Ram opposed the prayer on the ground that the contraband recovered from the vehicle was provided by the petitioner to his co-accused-Satpal. He has further produced the custody certificate dated 22.02.2021 filed by way of affidavit of Inderjeet Singh Kahlon, PPS, Deputy Superintendent, Central Prison, Patiala to contend that the petitioner is involved in another case of similar nature bearing FIR No. 25 dated 11.02.2020, however, it is not disputed that the petitioner has been released on bail in the said case.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete, however, trial is yet to commence, as no prosecution witness has been examined so far despite framing of charges on 22.08.2020, therefore, it is likely to take considerable time to conclude. Admittedly, the petitioner is presently confined in judicial custody since 15.07.2020 and his further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the

merits of the case, 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 concerned.

The petition is allowed.

22.02.2021

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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No