

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.37585 of 2020
Date of Decision: August 19, 2021

Jasveer Singh @ Kaka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashish Gupta, 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.211 dated 22.08.2020, under Sections 22-C N.D.P.S.Act, 1985, registered at Police Station, Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib, who is in custody since his arrest on 22.08.2020.

As per the FIR, on 22.08.2020, 1000 intoxicating tablets containing salt Tramadol Hydrochloride were recovered from the possession of the petitioner in the area of Arjun Palace, Bathinda without any permit or licence.

Learned counsel for the petitioner has argued that the petitioner is in custody for a long period and the trial is likely to consume considerable time to conclude as no prosecution witness has been examined so far, though the charges were framed on 19.02.2021. He submits that the petitioner is not involved in any other case of similar nature. He prays for

bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Jarnail Singh and submits that the case is coming up before the trial court for recording the prosecution evidence on 20.08.2021. He has invited the attention of the court to the custody certificate of the petitioner filed by way of affidavit of Gurcharan Singh Dhaliwal, Additional Superintendent, Central Jail, Ferozepur, which indicates that the petitioner is not involved in any other case of similar nature.

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 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 22.08.2020. Further, 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/CJM/Duty Magistrate, Sri Muktsar Sahib.

August 19, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No