

CRM-M-37738-2020

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

CRM-M-37738-2020
Date of decision: 09.09.2021

Dharminder Singh @ Sonu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Impinder Singh Dhaliwal, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.13 dated 25.01.2020, registered at Police Station Kabarwala, District Sri Muktsar Sahib, under Section 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that though recovery of intoxicant tablets allegedly effected from the petitioner, falls under the commercial quantity, yet the fact remains that the petitioner has been in custody since 26.01.2020; the prosecution witnesses are yet to be examined and the trial is going on at a snail's pace. In such circumstances, conclusion of the trial would take a long time. Moreover, the petitioner is not involved in any other case, much less of a similar nature.

On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, submits that the

CRM-M-37738-2020

recovery effected from the petitioner falls under the commercial quantity. He also submits that out of 14 prosecution witnesses, 01 witness has been examined. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

Challan stands presented. The petitioner has been in custody since 26.01.2020. Out of 14 prosecution witnesses, 13 witnesses are yet to be examined. Trial is unlikely to conclude any time soon, especially due to Covid-19. The petitioner is not involved in any other case, at least of a similar nature. 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.

09.09.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No