

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

**CRM-M-38414-2020**

**Date of decision:11.01.2021**

Pankaj Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Swarn Tiwana, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

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**HARNARESH SINGH GILL, J. (ORAL)**

Case is taken up for hearing through video conferencing.

Status report by way of an affidavit dated 06.01.2021 of

Deputy Superintendent of Police (Detective), Fatehgarh Sahib, filed in the  
Registry, is taken on record.

Medical status report of the petitioner along with Medical  
Report (Annexure R-1) and custody certificate (Annexure R-2) by way of  
an affidavit dated 09.01.2021 of Deputy Superintendent, New District Jail,  
Nabha, filed through email, is also taken on record.

Through this petition under Section 439 Cr.P.C., the petitioner  
seeks regular bail in case bearing FIR No.13 dated 03.03.2019 registered at  
Police Station Mulepur, District Fatehgarh Sahib, under Section 22 and 29  
of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner states that the alleged  
recovery effected from the petitioner is of a commercial quantity. The

petitioner has been in custody since 03.03.2019 and there is no other case pending or registered against the petitioner.

Learned State counsel submits that the charges were framed on 03.09.2019 and out of 20 witnesses, one has been examined and examination-in-chief of two other witnesses has been recorded. The case is now fixed for 25.01.2021.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 03.03.2019. Trial of the case would take time to conclude. 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.

**11.01.2021**  
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**(HARNARESH SINGH GILL)**  
**JUDGE**

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|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |