

214

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

**CRM-M-39683-2020
Date of Decision: 23.03.2021**

Ajay Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. J.S. Thakur, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Cr.P.C. seeking regular bail in case FIR No.70 dated 13.06.2019, under Section 21 of the N.D.P.S. Act, registered at Police Station Division No.8, Jalandhar Commissionerate.

[2]. Status Report by way of Affidavit of the Assistant Commissioner of Police (North), Jalandhar sent up on behalf of the State through e-mail; Be kept on record.

[3]. It transpires therefrom that earlier the prosecution evidence was closed, after which, the statements of the accused persons under Section 313 of the Cr.P.C. were also taken by the Ld. Trial Court. Subsequently, however, an application under Section 311 of the Cr.P.C. was moved by the prosecution for examining some more witness(es) and that today was the date fixed for filing reply to such application.

[4]. In this view of the matter, the delay occasioned at this stage in completion of trial is undoubtedly attributable to the prosecution side.

[5]. From the Custody Certificate sent up by the Superintendent, Central Jail, Kapurthala, it transpires that by now the petitioner has remained in detention for a period of 1 year, 9 months and 9 days, since 14.06.2019, and there is no record of his involvement in any other case under the N.D.P.S. Act.

[6]. As such, further detention of the petitioner in the present case is not called for, at this stage.

[7]. Considering the long detention undergone by the petitioner, the prayer of the petitioner for his release on regular bail is allowed and he is ordered to be released on bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[8]. Disposed off.

23.03.2021

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No