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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40298-2020

Date of Decision: 17.02.2021

Satnam Singh @ Shama

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ramesh Sharma, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, 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.13 dated 23.01.2020 registered under Sections 22 and 29 NDPS Act, 1985 at Police Station Shahkot, District Jalandhar. The petitioner is in custody since his arrest on 23.01.2020.

As per prosecution, on 23.01.2020, 805 intoxicant tablets containing the salt Tramadol Hydrochloride were recovered from the accused/petitioner.

Learned counsel for the petitioner contends that the petitioner is not involved in any other case of similar nature. He submits that the investigation of the case is complete and the challan has been filed on 06.07.2020, however the trial is yet to commence. He prays that the petitioner be released on bail during pendency of the trial.

On the other hand, learned State counsel assisted by SI

Sanjeevan Singh, has opposed the prayer on the ground that the recovered contraband would fall within the ambit of commercial quantity. He, on instructions, states that the petitioner is not involved in any other case of similar nature and the investigation of the case is complete.

After hearing the learned counsel for the parties, this Court finds that the final report was filed before the trial Court on 06.07.2020, however, the trial is yet to commence. The petitioner is presently confined in judicial custody after his arrest on 23.01.2020, therefore, further detention may not be necessary for any useful purpose, as the trial is likely to consume considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Jalandhar.

The petition is allowed.

17.02.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No