

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45930-2021 (O&M)
Date of decision: 08.11.2021

Jatinder Singh @ Sonu @ Happy Jain

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aayush Gupta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this 2nd petition is for grant of regular bail in FIR No.26 dated 09.02.2020 under Sections 21 & 29 of NDPS Act, registered at Police Station Special Task Force, District STF Wing; earlier one was dismissed as withdrawn on 18.01.2021.

Learned counsel for the petitioner submits that new ground for filing this second petition is that now custody of the petitioner is about 01 year and 09 months and charges have been framed and no prosecution witness has been examined so far. It is further submitted that the FIR was registered on the basis of a secret information that the petitioner is indulged in selling the narcotic substances along with co-accused Varinder Thakur @ Vicky and are

procuring the same from Delhi and thereafter, ASI Mohd. Sadiq apprehended the petitioner along with co-accused Varinder Thakur @ Vicky in presence of a Gazetted Officer and recovery of 840 grams of heroin was effected. It is also submitted that the petitioner, on two earlier occasions, was also found involved in possessing 07 grams and 10 grams of heroin and on that account, he has now been implicated in the present FIR.

Learned State counsel has filed the custody certificate dated 08.11.2021 in the Court today, according to which, the petitioner is in custody for the last 01 year, 08 months and 25 days. It is not disputed that no prosecution witness has been examined so far, however, it is submitted that the petitioner is involved in two more cases.

Be whatsoever, considering the fact that the petitioner is in long custody and no prosecution witness has been examined so far, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.11.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No