

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

CRM-M-42999-2020 (O&M)

Date of decision: 28.10.2021

Satkar Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ranbir Singh Sekhon, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 09 dated 23.02.2020, registered under Sections 21 and 22 of the NDPS Act, 1985, at Police Station Talwandi Bhai, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The alleged recovery of 500 capsules of Parvorin-Spas and 25 grams of *Heroin* was not effected from the conscious possession of the present petitioner. There is no other case under

NDPS Act pending against the petitioner and he has been in custody for the last more than one year.

Learned State counsel, vehemently opposes the prayer for bail. However, he does not dispute the custody period of the petitioner and that no other case under NDPS Act is pending against the petitioner. He submits that out of total eight prosecution witnesses, only one has been examined, so far.

I have heard the learned counsel for the parties.

The petitioner has been in the custody for the last more than one year. There is no other case under NDPS Act is pending against the petitioner. The case is at the state of evidence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

28.10.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No