

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

**113+209**

**CRM-26595-2021 in/and  
CRM-M-43458-2020.  
Date of Decision: 25.08.2021.**

Sandeep Singh

....Applicant/Petitioner.

Versus

State of Punjab

....Respondent.

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**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

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**Present:** Mr.Parminder Singh Sekhon, Advocate for applicant/petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

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**Lalit Batra, J.(Oral)**

Case has been taken up for hearing through Video Conferencing.

**CRM-26595-2021**

Document (Annexure A/1) is taken on record, subject to all just exceptions.

CRM is allowed.

**Main Case**

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Sandeep Singh** for grant of regular bail in case FIR No.6 dated 09.01.2018 under Sections 15 and 25 of NDPS Act, registered at Police Station Sadar Patiala, District Patiala.

Learned counsel for the petitioner *inter alia* contends that allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that allegedly 40 Kgs of poppy straw (non-commercial quantity) was recovered from the petitioner.

He further urges that previously petitioner was arrested on 09.01.2018 and

vide order dated 22.02.2018 (Annexure P/2), he was admitted to bail by Special Court, Patiala, however, later on petitioner remained absent from the Court proceedings and vide order dated 10.09.2018, on cancellation of his bail and forfeiting his bail bonds, his presence was ordered to be secured through warrant of arrest returnable for 28.09.2018 and then after issuance of proclamation, vide order dated 31.01.2019, the petitioner was declared 'proclaimed offender'. He further urges that petitioner was re-arrested on 01.06.2019 and since then he is languishing in custody and he is no more required by the Police for any investigation purpose. He further submits that after presentation of final report under Section 173 Cr.P.C. (*Challan*), trial has already commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and carefully gone through the record of the case.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 01.06.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that after presentation of final report under Section 173 Cr.P.C. (*Challan*), trial has already commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves

In view of above, instant petition for grant of regular bail moved by petitioner-**Sandeep Singh** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Patiala, as the case may be.

**(LALIT BATRA)**  
**JUDGE**

**25.08.2021**

*jitender*

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No