

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

**CRM-M-44098-2020
Date of decision: 08.01.2021**

Sandeep

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Zubin Chhura, Advocate
for the petitioner.

Mr. Jagmohan Singh Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition, filed under Section 439 of the Code of Criminal Procedure, is for grant of regular bail to the petitioner in case FIR No. 33 dated 12.10.2018, registered under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Patara, District Jalandhar.

Learned counsel further submits that as per allegations in the FIR, the police apprehended the petitioner on suspicion and recovered 18 injections of *Buperonorphin*. It is further submitted that petitioner is in judicial custody for the last about 02 years, 02 months and 25 days and out of total 11 cited prosecution witnesses, only one witness has been examined so far as due to COVID-19 situation, the trial is not proceeding.

Learned State counsel, on the basis of the custody certificate filed today and on instructions from ASI Sukhdev Raj, has not disputed the factual position. As per custody certificate, the petitioner is not involved in any other case under the NDPS Act, though he is involved in one more case

i.e. under Section 379-B IPC.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last about 02 years, 02 months and 25 days; he is not involved in any other case under the NDPS Act and also in view of the fact that trial is likely to take a long time in its conclusion as only one prosecution witness has been examined so far, the instant petition is disposed of and the petitioner is ordered to be released on interim bail till 31.05.2021, on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

08.01.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No