

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

CRM-M-54252-2019

Date of decision:28.01.2021

Kirpal Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.S. Sidhu, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of an affidavit dated 27.01.2021 of Deputy Superintendent, Sub Jail, Fazilka, filed through email, is taken on record.

Through this petition under Section 439 Cr.P.C., the petitioner seeks regular bail in case bearing FIR No.139 dated 31.08.2019 registered under Sections 22 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner states that the alleged recovery of 1000 loose tablets (without any brand) has been effected from the polythene hanging on the left handle of the motor-cycle driven by the petitioner. The petitioner has been in custody since 31.08.2019 and there is no other case registered or pending against him.

Learned State counsel, while opposing the prayer for grant of regular bail, does not dispute the custody period of the petitioner. He

further states that the charges have been framed against the petitioner and no prosecution witness has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 31.08.2019. Trial of the case would take time to conclude. 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

28.01.2021

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No