

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221-2

CRM-M No.3953 of 2021
Date of Decision:25.01.2022

AJIT SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K.S.Brar, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in case FIR No.24 dated 28.02.2020, under Sections 15, 25 and 29 of the NDPS Act, 1985 and Sections 307, 332, 186, 279, 337 and 427 IPC and Sections 25 and 27 of Arms Act, 1959 added later on vide DDR No.36 dated 28.02.2020, (petitioner named vide DDR No.29 dated 20.05.2020), registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel for the petitioner states that the petitioner was neither named in the FIR, nor in the DDR which was recorded on the same date and that it was only after 2 ½ months, a DDR was recorded nominating the petitioner in the present case. He further states that no recovery has been effected from the petitioner; that the petitioner is not the owner of the

vehicle; that there is no other case registered/pending against the petitioner and that the petitioner has been in custody since 28.05.2020.

Learned State counsel while opposing the grant of bail to the petitioner states that the petitioner has actively participated in the occurrence when the co-accused of the petitioner had broken the barricades and thrown the bags of poppy husk on the road to obstruct the police and later on he was arrested.

The petitioner was neither named in the FIR nor DDR which was recorded on the same day. Rather the petitioner was indicted after 2 ½ months in the present case. No recovery has been effected from the petitioner and he has been in custody since 21.05.2020. In the present case charges have not been framed and thus, the prosecution witnesses are yet to be examined. The trial will take time to conclude due to Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

January 25, 2022

Jyoti-IV

Whether speaking/reasoned Yes/No Whether Reportable Yes/No