

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

(Heard through VC)

CRM-M-3553 of 2022 (O&M)

Date of Decision: February 04, 2022

Harjit Singh alias Geeta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Manpreet Ghuman, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.14 dated 08.02.2020, under Sections 22, 29, 61 of the NDPS Act, registered at Police Station Dharamgarh, District Sangrur.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR, just to falsely implicate him in the present case. It is submitted that the petitioner was neither arrested at the spot, nor any recovery was effected from him and he has been nominated as an accused only on the basis of disclosure statement suffered by the co-accused. It is also contended that investigation is complete, as the challan has already been presented and it will take sufficient time to

conclude the trial, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that investigation is complete in the matter, as the challan already stands presented.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in judicial custody, investigation is complete, as the challan has already been presented and it will take sufficient time to conclude the trial, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

February 04, 2022
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No