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

CRM-M No.7122 of 2020 (O&M)

Date of decision: 23.02.2022

Rinku Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Sandhu, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.242 dated 08.12.2019, for offence punishable under Sections 22/25/29 of the NDPS Act, registered at Police Station Dhanaula Sadar, District Barnala.

Counsel for the petitioner, at the very outset, has submitted that 02 of the co-accused of the petitioner namely Deepak Sharma and Ravi Singh have been granted the concession of regular bail in CRM-M No.6885 of 2020 and CRM-M No.29585 of 2020, vide orders dated 04.09.2020 and dated 01.10.2020.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of ASI Sharif Khan that Deepak Sharma, Shankar Kumar, Raju and Rinku Singh (petitioner herein) are habitual of bringing intoxicant tablets from outside the State of Punjab, for selling the same in Sangrur and Barnala and they are

coming on a car. Thereafter, an information was sent to the Police Station for registration of the FIR. Counsel for the petitioner has further submitted that it is the further case of the prosecution that when a barrier was laid down, all the persons were arrested along with the intoxicant tablets of CLOVIDOL 100-SR and Rs.35,000/- drug money.

Counsel for the petitioner has further argued that the co-accused of the petitioner were also found in possession of 1,05,000 of intoxicant tablets and they have already been released on bail. It is also submitted that though the petitioner is involved in 03 other cases, however, he has been released on bail and in the present case, the petitioner is in custody for the last 02 years and 02 months and charges have not been framed and therefore, it will take long time in conclusion of the trial.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position that charges are yet to be framed and it is also not disputed that 02 of the co-accused of the petitioner namely Deepak Sharma and Ravi Singh, have already been released on bail by the Co-ordinate Bench of this Court. but opposed the prayer for bail.

After hearing the counsel for the parties, without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 02 years and 02 months; the co-accused of the petitioner are already released on bail; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial

Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

23.02.2022
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No