

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

CRM-M-12273-2021 (O&M)

Date of decision: 01.04.2022

Parveen Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amandeep Vashisth, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition, filed under Section 439 Cr.P.C., is for grant of regular bail to the petitioner in case FIR No. 207 dated 11.08.2020, registered under Section 22 of the NDPS Act, 1985 at Police Station Gidderbaha, District Sri Muktsar Sahib.

Learned counsel for the petitioner further submits that as per allegations in the FIR, registered at the instance of ASI Amandeep Singh, it is stated that while on patrol duty, a car driven by the petitioner on suspicion was stopped and the petitioner was given a notice that he was carrying intoxicant substance. Thereafter, a *ruqa* was sent to the police station. Thereafter, in the presence of a Gazetted Officer, 65 intoxicant bottles of Wincirex/100 ML and 670 intoxicant tablets of Carisoma were recovered from the petitioner.

Learned counsel for the petitioner further submits that the

petitioner is a first offender; he is in judicial custody for the last more than 01 year and 07 months and conclusion of trial is likely to take a long time as out of total 18 prosecution witnesses, only 02 witnesses have been examined so far.

Learned State counsel, on the basis of the custody certificate, has not disputed the factual position. As per custody certificate, the petitioner is in judicial custody for the last more than 01 year and 07 months and he is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is a first offender; he is not involved in any other case; he is in judicial custody for the last more than 01 year and 07 months; the trial is delayed due to COVID-19 situation as out of total 18 prosecution witnesses, only 02 witnesses have been examined so far and also in view of the fact that there are some material points regarding investigation conducted by the police, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

01.04.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No