

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

205

CRM-M-13226 of 2021(O&M)

Date of Decision: 18.01.2022

Ragubir Singh @ Raghbir Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No.345 dated 13.12.2018 under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Phillaur, District Jalandhar (Rural).

As per the allegations in the FIR, on 13.12.2018 a truck bearing PB 13 AL 7767 with four occupants was intercepted by the police party. One person managed to escape. Three persons namely, Ragubir Singh (Petitioner, Hardeep Singh and Nishan Singh were apprehended and 350 Kg of poppy husk was recovered from the truck.

Learned counsel for the petitioner states that the petitioner is in custody since 13.12.2018 (i.e. about three years and one month). He further states that the co-accused of the petitioner namely, Nishan Singh has already been granted the concession of

regular bail by this Court vide order dated 14.09.2021 passed in CRM-M-28720 of 2020. He also states that out of total 16 prosecution witnesses only six have been examined till date. It is also contended that there is no other case pending against the petitioner under the provisions of NDPS Act. This fact is also affirmed by learned State counsel.

In view of the fact that the petitioner is in custody since 13.12.2018 (i.e three years and one month); the co-accused of the petitioner have already been granted the concession of regular bail and the fact that the trial is unlikely to conclude in near future more so in the wake of outbreak of pandemic COVID, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner-Ragubir Singh @ Raghbir Singh be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

[HARINDER SINGH SIDHU]
JUDGE

January 18, 2022
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no