

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-13721-2021

DATE OF DECISION: MAY 30, 2022

JAGGA SINGH @ NATT

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. AMINDER SINGH, ADVOCATE FOR THE PETITIONER.
MR. RAMANDEEP SINGH SANDHU, SR.DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.183 dated 29.12.2020, under Section 22, 29 NDPS Act, Police Station Longowal, District Sangrur, who is in custody since his arrest on 29.12.2020.

The allegations contained in the FIR as noticed by the Addl. Sessions Judge, in the order dated 9.2.2021, are as under:-

“As per the allegations of the prosecution, on 29.12.2020, a secret information was received against applicant/accused to the effect that he used to sell intoxicant tablets in nearby villages and SLIET Longowal after bringing the same from outside and he would come to SLIET Longowal and the nearby villages by motorcycle No.PB-04T-3814 make Pulsar of red colour and in case, a picket is installed on the link road Lohakhera, Lonogowal, he could be apprehended alongwith huge quantity of intoxicant tablets which were supplied by Partap Singh son of unknown r/o Dirba to

him. On the basis of secret information, instant case was registered against applicant/accused and his co-accused Partap Singh and 1000 intoxicant tablets labeled as Tramadol Hydrochloride RL DOL 100 SR in 100 strips having 10 tablets each were recovered from the possession of applicant/accused when he was captured by the police party of ASI Jagsir Singh on the basis of said secret information received by ASI Sukhdev Singh on 29.12.2020.”

Learned counsel for the petitioner has argued that charges were framed on 9.8.2021 and out of total 15 prosecution witnesses, only 3 witnesses have been examined and keeping in view the custody of the petitioner and the stage of the trial, he prays that the petitioner be released on regular bail.

On the other hand, learned State counsel assisted by ASI Ram Singh has opposed the aforesaid prayer on the ground that the recovered contraband falls under commercial category, but does not dispute the fact that out of total 15 prosecution witnesses, only 3 witnesses have been examined till date.

Considering the above background and the custody of the petitioner, and the fact that only 3 prosecution witnesses have been examined out of total 15 witnesses, the further detention of the petitioner may not be necessary for any useful purpose, as the trial would take considerable time to conclude. Further, the witnesses are the police officials and at present there does not seem any possibility of their being won-over.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail

in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

May 30, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No