

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

CRM-M-21488-2021

Date of decision : 02.03.2022

Ranjit Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.0311 dated 09.11.2020 under Sections 22, 25 and 61 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Chattiwind, District Amritsar Rural, who is in custody since his arrest on 09.11.2020.

As per prosecution case, petitioner was found in conscious possession of 4000 intoxicating tablets.

Learned counsel for the petitioner has argued that though the charges were framed on 29.04.2021, but no prosecution witness has been examined so far out of total ten witnesses. He further submits that the petitioner is not involved in any other case of similar nature. He prays for bail.

On the other hand, learned State counsel assisted by ASI

Gursahib Singh has opposed the prayer on the ground that the recovered contraband is commercial in nature, however, it is not disputed that no prosecution witness has been examined so far. He has produced the custody certificate of the petitioner filed by way of affidavit of Surinder Singh, Superintendent, Central Jail Amritsar, which reveals that petitioner is not involved in any other case, much less of similar nature. He on instructions further states the case is now fixed before the trial Court for recording prosecution witnesses on 29.04.2022.

Considering the above background, custody of the petitioner and the fact that the trial is yet to commence, this Court is of the opinion that further detention of the petitioner behind the bars may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 09.11.2020. Further, the material witnesses are police officials and there does not seem to be 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 subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

02.03.2022

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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No