

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26413-2020 (O&M)

Date of Decision: 18.7.2022

Gurdeep Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

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

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.21 dated 15.2.2020 registered for the offences punishable under Sections 22(C) of NDPS Act at Police Station Odhan, District Sirsa.

Counsel for the petitioner submits that the petitioner was falsely implicated in the present case and that co-accused Jharmal Singh was granted regular bail by this Court vide order dated 26.11.2021 and that the petitioner is languishing in jail for the last about 2 years and is having no criminal history.

As per custody certificate, State counsel has not disputed the custody period of the petitioner and that co-accused Jharmal Singh has already been granted bail in the present case. However, State counsel while resisting the present petition submits that the present case is relating to recovery of commercial quantity of medical intoxicants and that the trial is

going on.

I have considered the submissions made by the counsel for the parties.

As per custody certificate furnished by the State counsel, the petitioner is recorded to be in custody for the last about one year and nine months and is having no criminal history. Undoubtedly, co-accused Jharmal Singh who was travelling with the petitioner on the same motorcycle, when the alleged recovery was effected in the present case, has already been regular bail by the Coordinate Bench of this Court vide order dated 26.11.2021.

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This order is not to be treated as precedent in any manner.

(KARAMJIT SINGH)
JUDGE

July 18, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No