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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-43449-2020 (O&M)  
Date of Decision:06.09.2022

Gurpreet Singh @ Ravi

.. Petitioner

Vs.

State of Punjab

..Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Paramjit Singh Bal, Advocate for the petitioner.

Mr. Kunal Muthreja, AAG, Punjab.

...

**Manoj Bajaj, J. (Oral)**

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.142 dated 04.11.2018 registered under Sections 22, 61 and 85 NDPS Act, 1985 at Police Station Doraha, District Ludhiana. The petitioner is in custody since his arrest on 04.11.2018.

As per prosecution, on 04.11.2018, Harmanpreet Singh @ Harman was driving the scooter bearing No.PB-48B-1074 with Ravi Singh @ Manpreet and Gurpreet Singh @ Ravi, as pillion riders, when they were interepted, and upon search, 1200 intoxicating tablets each were recovered from Harmanpreet Singh @ Harman and Ravi Singh @ Manpreet, whereas Gurpreet Singh @ Ravi was found in possession of 2700 tablets. After recovery of the contraband, they all were arrested.

Learned counsel for the petitioner has argued that the petitioner is in custody for a long period, who though is involved in one more case of similar nature, but in the said case, he is on bail. According to him, the investigation of the case is complete and charges were framed on

23.04.2019, but only three prosecution witnesses have been examined so far out of total twelve prosecution witnesses. He prays for bail.

Learned State counsel assisted by ASI Lakhwinder Singh, has opposed the prayer on the ground that the alleged contraband recovered from the petitioner falls within the ambit of commercial quantity. He has produced the custody certificate dated 05.09.2022 by way of affidavit of Kanwar Surteg Singh, PPS, Deputy Superintendent of Central Jail, Ludhiana, which indicates that the petitioner is involved in another case of similar nature, but is on bail. It is also not disputed by learned State counsel that the charges have been framed on 23.04.2019 and nine prosecution witnesses still remain to be examined.

After hearing the learned counsel for the parties and considering the above background, particularly the custodial period of the petitioner, this Court is of the opinion that his further detention behind the bars may not be necessary for any useful purpose, as the trial would consume considerable time to conclude. Apart from it, the material witnesses are police officials and at present 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 concerned.

The petition is allowed.

06.09.2022  
Jasmine Kaur

(MANOJ BAJAJ)  
JUDGE

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|---------------------------|-----|----|
| Whether speaking/reasoned | Yes | No |
| Whether reportable        | Yes | No |