

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

CRM-M No.44628 of 2019 (O&M)

Date of Decision: 16.05.2022

Maninder Singh @ Mani @ Money

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.33 dated 26.03.2019, under Section 22 of the Narcotic Drugs and Psychotropic Substances, Act, 1985, registered at Police Station Longowal, District Sangrur.

The case of prosecution is that on 26.03.2019, police party was on patrolling duty. They received secret information that Maninder Singh @ Mani (petitioner) is indulged in selling of intoxicant injections and he will be coming on his motorcycle, silver colour, bearing registration No.PB-19-N-0518 from Village Longowal and if the picket be laid, he can be apprehended with heavy quantity of contraband. Thereafter, 27 injections of Buprenorphine, 2 ml each, were recovered from the exclusive conscious possession of the petitioner.

This Court, on 16.02.2021 in the main case, passed the following order:-

“Contends that petitioner is in custody since 26.03.2019 and

*there is no progress in the trial.
Learned State counsel seeks time to have instructions in the
matter.
Posted on 17.05.2021.*

*Let the petitioner be released on interim bail, till the next date of
hearing, on his furnishing bail bond and surety bond to the
satisfaction of learned trial Court/CJM/Duty Magistrate,
concerned.”*

Learned State Counsel, on instructions in response to order dated 09.02.2022, acknowledged that petitioner is regularly appearing before learned trial Court. However, he stated that petitioner is facing one other criminal case, but he has already been granted the concession of bail by the Court of competent jurisdiction.

In view of the above, this Court is of the opinion that sending the petitioner in custody at this stage would not serve any purpose. Consequently, the present petition is allowed and interim bail granted by this Court, vide order dated 16.02.2021, is made absolute. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

May 16th, 2022
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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