

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

208

CRM-M-52584-2022 (O&M)

Date of decision : 21.11.2022

Pawan Kumar @ Bhola

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Laghuinder Singh Sekhon, Advocate for the petitioner.

Mr. Arun William, AAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.42 dated 28.05.2019 under Section 22 of the NDPS Act and Section 207 of the Motor Vehicles Act, 1988, registered at Police Station Special Task Force, Phase IV, Mohali (Jurisdiction at Police Station City Sunam), District Sangrur.

Learned counsel for the petitioner submits that the FIR had been registered on the basis of a secret information wherein it is alleged that intoxicant tablets containing 1995 grams Tramadol, 744 grams Alprazolam and 384 grams Diphenoxylate were allegedly recovered from him. The police party had come on private vehicles and no intimation had been sent to the superior officers. The petitioner has been involved in cases under the Gambling Act but there are only two cases under the NDPS Act. He has been acquitted in one case under the NDPS Act while he has been convicted in a case under the NDPS Act for possessing non-commercial quantity and the sentence of already undergone by the petitioner had been imposed. The petitioner is in custody for over three years and six months and the trial is progressing at a slow pace. The petitioner had withdrawn the previous petition in December, 2021 as 07 out of

17 prosecution witnesses had been examined and thereafter, almost a year has elapsed but only two additional witnesses have been examined.

Learned State counsel, upon instructions from ASI Sawtanter Pal, submits that 09 out of 17 prosecution witnesses have been examined. The petitioner is involved in several other cases including cases under the NDPS Act and Gambling Act. In view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

Heard.

In view of the above especially when the petitioner is in custody for over three years and six months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

At the time of release of the petitioner, the SHO, Police Station City Sunam would be informed and the petitioner shall furnish his mobile number to the SHO and keep his mobile location on till the conclusion of the trial. He shall also appear before the Police Station on every alternate Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

November 21, 2022

A.Kaundal

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