

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

CRM-M-52740-2019

Date of decision : 26.04.2022

Karan Singh @ Karan

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rishu Mahajna, Advocate for the petitioner.

Mr. Dhruv Dayal, 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.232 dated 24.09.2016 under Sections 21, 25 and 29 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Chheharta, District Amritsar, who is in custody since his arrest on 24.09.2016.

The allegations in the FIR as noticed by the learned Additional District Judge, Amritsar in the order dated 24.05.2018 are as under:-

“Heard and perused the record. As per the prosecution version, on 24.09.2016, accused Karan Singh @ Karan was apprehended by Inspector Vavinder Kumar, whereas accused Raman Kumar and Pawan Kumar ran away from the spot. 2Kg. 500 grams of heroin was recovered from his possession.”

Learned counsel for the petitioner has argued that though the charges were framed against the petitioner on 29.03.2017, but till date only six prosecution witnesses have been examined out of total 12 witnesses. He further submits that vide order dated 16.10.2020, petitioner was granted interim regular bail and he has not misused the said concession. According to him, the other co-

accused have already been released on regular bail, therefore, the petitioner also deserves the same concession. In this regard, he has invited the attention of the Court to Annexure P-4 i.e. the order passed in respect of co-accused. He prays for bail.

On the other hand, learned State counsel assisted by ASI Dilbag Singh has opposed the prayer on the ground that the alleged contraband was recovered from the possession of the petitioner, however, he does not dispute this fact that the co-accused of the petitioner have already been released on regular bail. He on instructions further states that case is now fixed for 04.05.2022 for examining the remaining prosecution witness.

Considering the above background, custody of the petitioner and the fact that the investigation is complete, the prayer made in this petition on his behalf is accepted, as the trial is likely to take considerable time to conclude.

Resultantly, the petition is allowed and petitioner's prayer for grant of regular bail is accepted. It is further ordered that the petitioner shall continue to remain on bail bonds and surety bonds already furnished by him before the trial Court.

(MANOJ BAJAJ)
JUDGE

26.04.2022

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No