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2023:PHHC:075390

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4697-2023
DECIDED ON: 24th MAY, 2023

ANGREJ SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in case FIR No. 55, dated 11.04.2021, under Section 22(C) of NDPS Act, 1985 registered at Police Station Kotwali Bathinda, District Bathinda.
2. Learned counsel for the petitioner has contended that the alleged contraband i.e. 250 strips containing 10 tablets of Tramadol Hydrochloride each strip, were recovered from the possession of the co-accused namely Rajwinder Singh and nothing has been recovered from the possession of the petitioner. He further asserts that out of total 22 witnesses only 12 have been examined so far after framing of charge on 11.08.2021, which shows that the trial is moving at snail's pace.
3. Custody certificate filed by learned State counsel is taken on record.

years 1 month and 5 days as of now. A perusal of certificate further reveals that the petitioner is not involved in any other case of any nature whatsoever, meaning thereby, he is a man of clean antecedents.

4. Considering the fact that the trial is moving at snail's pace as since the date of framing of charges i.e. 11.08.2021 only 12 prosecution witnesses have been examined out of total 22 prosecution witnesses, which shows that the conclusion of trial shall take sufficient long time added with the fact that the contraband whatsoever has been recovered from the possession of the petitioner, who is having clean antecedents, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period. The petitioner is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

5. The present petition is allowed in view of afore-said terms.

6. However, it is made clear that any observation made hereinabove, shall not be construed as an expression of opinion on the merits of the case.

24th MAY, 2023
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*