

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.211

CRM-M-9396-2023 (O&M)
Date of decision : 27.02.2023

Sudesh Kumar @ Sudesh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Karanbir Singh, Advocate, for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.053 dated 07.06.2016, registered at Police Station GRP-ASR, District Amritsar, under Section 22, 61, 85 of NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has undergone actual custody in excess of 09 months. No recovery was effected from the petitioner and he has been involved in this case only on the disclosure of the co-accused. The trial is not likely to be concluded at an early date as only 01 PW out of a total of 15 PWs has been examined. Thus, the petitioner may be granted regular bail.

Custody certificate dated 24.02.2023 checked by Sh. Kirpal Singh, officiating Deputy Superintendent, Central Jail, Goindwal has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 09 months and 29 days and there is no other criminal case pending against him.

Learned State counsel concedes that only 01 PW has been examined till date out of a total of 15 PWs.

Keeping in view the aforementioned facts, it is evident that the trial is not likely to be concluded at an early date. Keeping in view the fact that the petitioner has a clean record as well as his period of custody undergone by him, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

27.02.2023
Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes

No