

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

105+222

CRM-M-13037-2023 (O&M)

Date of decision: 02.05.2023

SONU SINGH ALIAS SONU

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

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

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

DEEPAK MANCHANDA, J.(ORAL)**CRM-19567-2023**

This is an application filed under Section 482 Cr.P.C. for placing on record, the zimni orders (Annexures P-6 to P-12) in compliance of order dated 21.03.2023

For the reasons stated in the application, the same is allowed.

Annexures P-6 to P-12 are taken on record.

Application stands disposed of.

CRM-M-13037-2023

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 97 dated 06.03.2020, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Islamabad, District Police Commissionerate Amritsar.

Learned counsel for the petitioner *inter alia* submitted that the petitioner has been falsely implicated in the case in question on totally false and fabricated allegations. It is alleged that on 06.03.2020, on seeing the

police party, the petitioner tried to turn back and due to suspicion, the police party apprehended the petitioner and 120 intoxicating capsules of Proxyvon had been recovered from his possession. Thereafter, petitioner was granted bail vide order dated 24.04.2020 passed by learned Additional Sessions Judge, Amritsar. It is further submitted that on 01.12.2021, the petitioner could not attend the Court as he has not been served by the trial Court after filing of challan due to which his bail order stands cancelled, bail bonds & surety bonds were forfeited to the State and he was declared proclaimed person on 30.08.2022. He further submits that the petitioner was arrested on 13.09.2022 and since then he is in custody. It is the further contention of learned counsel for the petitioner that the conclusion of trial will take sufficient time as challan has been presented and charges have been framed, therefore, the petitioner be enlarged on bail. He further submits that the petitioner is not involved in any other case.

On the other hand, learned State counsel assisted by Investigating Officer ASI Kulwant Singh has opposed the aforesaid prayer on the ground that allegations levelled against the petitioner are serious in nature and there is every likelihood that he will again misuse the concession of regular bail. However, he has not disputed the fact that challan stands presented and charges have been framed on 13.03.2023 and there are total 11 prosecution witnesses, but none has been examined till date. Learned State counsel further submits that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 13.09.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since investigation has already been completed, challan stands presented but charges are yet to be framed and keeping in view that the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

May 02, 2023
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(DEEPAK MANCHANDA)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No