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

CRM-M-17127-2022

Decided on:-20.02.2023

Gaganjeet Singh

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Lalit Singla, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
for respondent-State.

HARKESH MANUJA J. (Oral)

By way of present petition, the petitioner prays for grant of regular bail during pendency of trial in case FIR No.119 dated 11.09.2021, under Section 22-C of NDPS Act, 1985, registered at Police Station Jakhal, District Fatehabad.

Learned counsel for the petitioner submits that the petitioner is behind the bars for the last 01 year and 05 months now and the investigation in the present case already stands concluded with the filing of challan on 13.02.2022. He also submits that the story put forward in the FIR is highly improbable as no person dealing with the trade of narcotic would carry the same in white colour plastic bag. Learned counsel further submits that even after the expiry of more than 1 year of the filing of challan even charges have not been framed and, thus, the trial is likely to take some time. As such,

he prays for grant of concession of regular bail.

On the other hand, learned State counsel opposes the prayer made in the present petition by submitting that the quantity recovered from the petitioner is commercial and thus, prays for dismissal of the present petition.

I have heard learned counsel for the parties and gone through the paper book. I find merits in the submissions made on behalf of the petitioner.

Considering the fact the petitioner is already behind the bars for the last 01 year and 5 months now and the investigation already stands concluded with the filing of challan, so far, even after the expiry of one year of the filing of challan, charges have not been framed and thus, the conclusion of trial is likely to take long time, besides it, the petitioner being the first offender, there would be no justification for extending the incarceration of the petitioner.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

20.02.2023
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/ No