

2023:PHHC:071249
CRM-M-23507 of 2022 [1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-23507 of 2022
Date of decision: 17th May, 2023

Jagjeet Singh @ Jiti

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J. S. Sandhu, Advocate for the petitioner.
Mr. Samarth Sagar, Addl. AG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. This is a second petition seeking regular bail in FIR No. 240 dated 27.9.2020, under Section 22(b) of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Kalanwali, District Sirsa.
2. The earlier petition was dismissed considering that the custody of the petitioner was little more than one year. It was further directed that there is no doubt that the prosecution shall make an earnest effort to examine the prosecution witnesses.
3. The brief facts are that the police party on 27.9.2020 apprehended Jagjeet Singh @ Jiti (petitioner) and recovered 370 tablets containing Tramadol. The petitioner disclosed that the recovered tablets were purchased from Deepu @ Pappu.
4. Learned counsel for the petitioner submits that the petitioner is in custody since 27.9.2020; there is no progress in the trial and not even a single prosecution witness has been examined. He further relies upon the decisions of the Supreme Court in *SLP (Crl.) No. 6690 of 2022-- Dheeraj Kumar Shukla v. The State of Uttar Pradesh*, decided on 25th January, 2023 and in *SLP(Crl.) No. 1166 of 2023-- Chet Ram @ Ram Veer v.*

Union of India, decided on 15th March, 2023. It is further argued that the recovery was marginally higher than the commercial quantity.

5. Learned counsel for the State relying upon the pleadings filed is not in a position to dispute that not even a single witness has been examined. He fairly submits that the petitioner is not involved in any other case under the Act.

6. Without commenting on the merits of the case, considering that the petitioner is in custody since 27.9.2020, there is no progress in the trial, the conclusion of trial is likely to take time, the petitioner has clean antecedents and the Supreme Court in *Dheeraj Kumar Shukla* and *Chet Ram @ Ram Veer cases (supra)* in similar circumstances had granted bail, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

7. The petition is allowed.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

17th May, 2023
mk

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No