

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23185-2023
Date of Decision: May 12, 2023

SUKHWANT SINGH @ BUNTY Petitioner
Versus
STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. P.S. Sekhon, Advocate for the petitioner.
Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of bail in case FIR No.41 dated 08.05.2021 registered under Section 15-C of Narcotic Drugs and Psychotropic Substances Act, 1985 at P.S. Cantt Bathinda, District Bathinda.
2. As per the allegations levelled in the FIR, 175 Kg of Poppy Husk was recovered from the truck owned by the petitioner.
3. Learned counsel for the petitioner submits that the petitioner has already suffered incarceration for a period of two years and the investigation already stands concluded followed by framing of charges, however, out of 14 only two witnesses have been examined so far and the trial is thus likely to take some time. He further submits that petitioner is not involved in any other case.
4. On the other hand, prayer made herein has been vehemently opposed by learned State counsel while referring to heavy recovery and the fact that the truck in question is owned by the petitioner.

CRM-M-23185-2023

-2-

5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made on behalf of petitioner.
6. Considering the fact that the petitioner has already suffered incarceration for a period of more than two years and the trial is still at the initial stage as only two witnesses have been examined out of total of 14 and the petitioner being the first offender, I do not see any justified reason to extend the incarceration of the petitioner.
7. Without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

12.05.2023
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>