

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25387-2023
Date of Decision: May 24, 2023

RAHUL Petitioner
Versus
STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Lokesh Vohra, 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 pending trial in case FIR No.88 dated 16.07.2022 registered under Section 21 of NDPS Act, 1985 at P.S. Lakho Ke Behram, District Ferozepur.
2. As per allegations, the petitioner has been implicated on the basis of disclosure made by co-accused namely Harjinder Singh against whom the allegations of recovery of 265 gm of heroin has been levelled.
3. Learned counsel for the petitioner submits that the investigation in the present case already stands concluded with the filing of challan and the petitioner has already suffered incarceration for a period of almost 9 months.
4. On the other hand, learned State counsel opposes the prayer while submitting that petitioner is involved in one more case of NDPS Act regarding recovery of 260 gms of heroin in which he has not been granted concession of regular bail so far.

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5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.
6. Considering the fact that the petitioner is behind the bars for a period of almost 9 months and investigation already stands concluded followed by framing of charge, besides the fact that out of total 24 prosecution witnesses, none has been examined so far, thus the trial is likely to take some time and petitioner has been implicated on the basis of disclosure made by co-accused Harjinder Singh who has already been released on bail in pursuance to an order dated 13.04.2023 passed in CRM-M-971-2023, I do not deem it appropriate to extend his incarceration, any further.
7. In view of the discussions made herein-above, 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/Illaq Magistrate/Duty Magistrate.

24.05.2023
tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No