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

**CRM-M-33895-2021 (O&M)
Date of decision : 03.02.2023**

Vikramjit Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Naveen Bawa, Advocate for the petitioner(s).

Mr. Sandeep Chopra, DAG, Punjab,
assisted by ASI Raghuvir Singh.

MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.75 dated 16.04.2016, under Section 22 of the Narcotic Drugs and Psychotropic Substances, Act, 1985 (*for short 'the Act'*), registered at Police Station Sahnewal, District Ludhiana City.

2. Allegations are that petitioner was found in possession of 30 vials of Avil (10 ml. each) and 30 ampoules of Rexogesic (2 ml. each), without any permit or licence.

3. This Court, on 02.12.2021, granted interim bail to the petitioner in the following manner:-

“Contends that there is no progress in the trial and petitioner is in custody for the last almost three years.

Posted on 07.03.2022.

Till the next date of hearing, let petitioner be released on interim bail in this case, on his furnishing bail

bonds and surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate, concerned.”

4. Learned counsel contends that petitioner was granted interim bail by this Court on 02.12.2021 and since then, he is regularly appearing before learned trial Court. Also contends that charges were framed on 30.08.2016, but as on today, 09 prosecution witnesses are yet to be examined.

5. Learned State Counsel, upon instructions, has fairly acknowledged the above factual position.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court and he is regularly appearing before the Court below; and there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in any manner, in case his interim bail is made absolute.

8. Since trial is likely to take sufficiently long time, thus sending the petitioner in custody at this stage would not serve any purpose.

9. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 02.12.2021, is made absolute. He shall be admitted to bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

11. The above observations may not be construed as an expression of opinion on the merits of the case.
12. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

03.02.2023
atulsethi/Sachin M.

(MAHABIR SINGH SINDHU)
JUDGE

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