

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

(220)

CRM-M-37830 of 2022
DATE OF DECISION:-25.05.2023

Surjit Singh @ Surjeet Singh

...Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Krishan Kanha, Advocate, and
Mr. L. S. Sekhon, Advocate, for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J.

(1) By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner prays for grant of bail pending trial in case FIR No.218 dated 24.11.2021 under Sections 20 and 25 of NDPS Act 1985, registered at Police Station Talowandi Sabo, District Bathinda.

(2) As per allegations in the FIR, petitioner has been implicated in the FIR on account of recovery of 85 Kg. of Ganja.

(3) Learned counsel for the petitioner submits that the investigation in the present case already stands concluded followed by framing of charges on 21.03.2023, however, despite the petitioner being behind the bars for a period of one and half year and the trial is not likely to conclude in near future, he deserves the concession of regular bail.

(4) On the other hand, learned State counsel opposes the prayer made herein while referring to the huge quantity of intoxicants recovered from the petitioner.

(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 the

petitioner.

(6) In the present case, petitioner has suffered incarceration for a period of one and half year and the investigation already stands concluded followed by framing of charges on 21.03.2023, however, none of the prosecution witness out of the total 13 has been examined and the petitioner is not involved in any other case under NDPS Act and as such, I do not see any reason to extend his incarceration any further, thus, the petitioner deserves the concession of regular bail.

(7) Without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

25.05.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No