

CRM-M-51350 of 2022

[1]

2023:PHHC:051282

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51350 of 2022

Date of decision: 13th April, 2023

Gautam @ Gautam Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P. S. Sekhon, Advocate for the petitioner.
Mr. I. S. Mann, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This is second petition for grant of regular bail in FIR No. 32 dated 26.5.2021, under Sections 21-C, 22-C and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short, 'the Act') registered at Police Station Rureke Kalan, District Barnala.

The earlier petition was dismissed as withdrawn on 22.7.2022.

The brief facts are that on 26.5.2021, the police party acting upon a secret information apprehended Gejo Kaur and recovered 14,000 tablets containing Tramadol salt. Name of the petitioner surfaced in a disclosure statement and 300 grams of heroin and 300 tablets of Tramadol were recovered from the petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody since 29.5.2021, he is not involved in any other case under the

Act. He further submits that the trial is not proceeding. He 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 25.1.2023 and ***SLP (Crl.) No(s). 915 of 2023- Mohd. Muslim @ Hussain v. State (NCT of Delhi)***, decided on 28.3.2023.

Reply filed on behalf of the State is taken on record.

Learned counsel for the State opposes the prayer for grant of bail, however, on instructions is not disputing the fact that there is no progress in the trial and only charges have been framed. He fairly submits that the petitioner is not involved in any other case under the Act.

Without commenting on the merits of the case, considering that name of the petitioner surfaced in the disclosure statement, there is no progress in the trial and conclusion of the same is likely to take time, the petitioner has clean antecedents and the Supreme Court in ***Dheeraj Kumar Shukla*** and ***Mohd. Muslim @ Hussain's cases (supra)*** had granted bail in similar circumstances, the petitioner is granted bail subject to his furnishing bail bond/surety bond to the satisfaction of Illaqa Magistrate/Duty Magistrate concerned.

The petition is disposed of.

[AVNEESH JHINGAN]
JUDGE

13th April, 2023
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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No