

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:138820
CRM-M-57772-2022
Date of Decision: October 31, 2023

Satnam Singh @ Bunty

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vipul Jindal, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.94, dated 08.08.2020, under Section 21, 25 and 29 of the Narcotic Drug and Psychotropic Substances Act, 1985, registered at Police Station Special Task Force, SAS Nagar, Mohali.

As per allegations, 300 grams of heroin was recovered from a car bearing registration No.PB-02-DU-3803, which was being driven by petitioner Satnam Singh @ Bunty and was occupied by co-accused Jarnail Singh @ Goldy.

It is contended by learned counsel for the petitioner that that the petitioner is in custody for the last more than 03 years; that similarly placed co-accused Jarnail Singh @ Goldly has already been allowed bail vide order dated 08.08.2022 passed in CRM-M-37748-2020 (O&M). Learned counsel further contends that the earlier petition filed by the petitioner was dismissed as withdrawn vide order dated 21.07.2022 (Annexure P-3) and that ever since then much time has passed and not even a single witness has been examined so far.

Learned State counsel does not dispute the fact that not even a single witness has been examined so far; that even charges have not been framed.

As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 03 years, 02 months and 20 days.

However, the bail petition is opposed by learned State counsel on the ground that the petitioner is involved in numerous other cases, as per the details given in the reply to the petition as well as in the custody certificate.

Heard.

It is true that petitioner is involved in numerous other cases, as per the status report filed by the respondent-State and as per details given in the custody certificate and even he has been convicted in two of the cases, but at the same time, this Court cannot ignore the fact that the petitioner is in custody for the last more than 03 years; and that not even a single witness has been examined so far.

Having regard to the aforesaid facts and circumstances and the long custody period of the petitioner, but without commenting anything on the merits of the case, he is admitted to bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

October 31, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No