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

**CRM-24783-2023 in/and
CRM-M-59105-2022 (O&M)
Date of Decision: 02.06.2023**

AMANDEEP SINGH @ GOGI

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.S. Sekhon, Advocate for applicant-petitioner.

Mr. Vipin Pal Yadav, Addl. A.G, Punjab.

...

Manoj Bajaj, J. (Oral)

CRM-24783-2023

This application is for pre-poning the date of hearing of the main petition to an early date.

Notice in the application.

At this stage, Mr. Vipin Pal Yadav, Addl. A.G, Punjab, accepts notice on behalf of the respondent-State and does not oppose the prayer.

Application is allowed and the date of hearing is pre-poned to today.

CRM-M-59105-2022 (O&M)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.257 dated 04.12.2019 registered under Sections 22 and 25 NDPS Act, 1985 at Police Station City Jagraon, District Ludhiana. The petitioner is in custody since his arrest on 04.12.2019.

As per prosecution, recovery of alleged contraband (50,000 intoxicant tablets of Tramadol Hydrochloride SR-100, Clovidol SR-100) was effected from the boot of the Swift car bearing No.PB-10-CL-5358, which was driven by petitioner-Amandeep Singh @ Gogi and co-accused-Satnam Singh @ Satta was sitting on the rear seat.

Learned counsel for the petitioner states that the petitioner is in custody for a long period and is not involved in any other case of similar nature. He submits that the co-accused of the petitioner, namely, Satnam Singh @ Satta, has already been extended the concession of regular bail by this Court vide order dated 09.12.2022 passed in CRM-M-16147-2022 (Annexure P-2). According to him, the charges were framed on 04.08.2021, but only four prosecution witnesses have been examined out of total ten witnesses so far. He prays for bail.

Learned State counsel, assisted by DSP Deepkaran Singh has opposed the prayer on the ground that the recovered quantity is commercial in nature as per the provisions of NDPS Act, and has also produced the custody certificate of the petitioner by way of affidavit of Kanwar Surteg Singh, PPS Deputy Superintendent of Central Jail, Ludhiana, which indicates that he is not involved in any other case. He, on instructions, states that only six prosecution witnesses remain to be examined.

After hearing the learned counsel for the parties and considering the above background, particularly the custodial period of the petitioner and the fact that his co-accused has been released on bail, this Court is of the opinion that his further detention behind the bars may not be necessary for any useful purpose, as the conclusion of the trial would consume considerable time. Apart from it, the material witnesses are police

officials and at present there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

02.06.2023

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No