

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-63412-2023

Date of decision : 21.12.2023

SUKHVEER SINGH @ JASSA

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr. Summet Pal Singh Khaira, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, Asstt. A.G. Punjab.

HARKESH MANUJA.J. (ORAL)

1. By way of second bail petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.108 dated 13.08.2020 registered under Sections 22, 25, 29,61 and 85 of the NDPS Act at Police Station Sadar Jagraon, District Ludhiana Rural, Punjab.

2. The prayer made on behalf of the petitioner that the petitioner has been falsely implicated against the recovery of 1300 intoxicant tablets of Tramadol Hydrochloride has been opposed by learned State counsel while submitting that the huge recovery is involved in the present case.

3. 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.

3 The petitioner has already undergone incarceration of 1 year 7 months and 28 days of custody with no other cases pending against him.

4. Considering the fact that the investigation in the present case, already stands concluded with the filing of challan and trial is likely to take some time, besides it, the petitioner is already behind the bars for the last almost 1 year 7 months and 28 days and three of prosecution witnesses have been examined so far out of total 13 as cited by the prosecution and there is no other case pending against him under the NDPS Act. I do not find any reason to extend the incarceration of the petitioner any further.

5. Without commenting anything on the merits of the case, 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 adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

6. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

21.12.2023

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Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No