

[238] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2945-2024
Date of Decision : 05.03.2024

Karamjeet Singh ...Petitioner
versus

State of HaryanaRespondent

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. P.K. Ganga, Advocate for the petitioner.
Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

[1] By way of this third petition filed under Section 439 Cr.P.C., petitioner is seeking regular bail in case FIR No.470 dated 19.12.2021 under Section 21-C of NDPS Act, 1985, registered at Police Station Ellenabad, District Sirsa.

[2] Status report by way of affidavit dated 28.02.2024 of Shri Ajaib Singh, HPS, Deputy Superintendent of Police, Ellenabad, District Sirsa, on behalf of the respondent-State along with custody certificate dated 03.03.2024 have already been received through Registry. Copies thereof have been supplied to learned counsel opposite.

[3] As per the allegations, on 19.12.2021, based on secret information, the police searched as car being driven by co-accused Sandeep Kumar. A person sitting in the front seat disclosed his name as Vijay Kumar (co-accused). Petitioner was found sitting on the rear seat. On search of shirt's pocket of petitioner-Karamjeet Singh, a polythene packet was found having smack in it, which weighed 405 grams. After

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[4] Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that co-accused Vijay Kumar and Sandeep Kumar have already been allowed bail by a Co-ordinate Bench of this Court vide order dated 04.05.2022 passed in CRM-M-9987-2022 (Annexure P-4). It is also contended by learned counsel for the petitioner that the petitioner is in custody for the last more than 02 years and 02 months and the trial may take long time to conclude, so he be allowed bail.

[5] Learned State Counsel has opposed the bail petition by pointing out towards the commercial category of contraband. Learned State Counsel also points out that as per the custody certificate taken on record, the petitioner is involved in 04 other cases, out of which one pertains to NDPS Act.

[6] Custody certificate reveals that petitioner is in custody for the last 02 years, 02 months and 09 days.

[7] It is also informed by learned State Counsel that out of 26 witnesses cited by the prosecution, only 03 have been examined so far and thus trial may take long time to conclude.

[8] Co-accused Vijay Kumar and Sandeep Kumar have already been allowed bail by a Co-ordinate Bench of this Court vide order Annexure P-4. No purpose shall be served by keeping the petitioner detained.

[9] Having regard to the above facts and circumstances, particularly long incarceration of the petitioner in custody and that trial is proceeding slowly, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

05.03.2024
'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>