

225 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4843-2024
Decided on : 29.02.2024

Lalit Kumar @ Lalli

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amandeep Bawa, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the second petition filed by the petitioner seeking concession of regular bail in case FIR No.43 dated 24.04.2021 under Sections 22/61/85 of NDPS Act registered at Police Station Ghanaur District Patiala.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was accompanying the co-accused, who was driving the car, from which recovery of 18 Buprenorphnie injections and 18 vials of Avil was effected. Learned counsel has submitted that the case of the petitioner is at par with the co-accused, who has since been extended the concession of bail by this Court vide order dated 15.01.2024 (Annexure P-4). It has also been submitted that the investigation in the case in hand is complete as challan stands

presented. Hence, further incarceration of the petitioner would serve no useful purpose. It has also been submitted that since 7 prosecution witnesses still remain to be examined, trial would take considerable time to conclude.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed the contentions of the learned counsel for the petitioner that the investigation in the case in hand is complete and challan stands presented. It has also not been disputed on instructions that the petitioner is at par with the co-accused, who has since been extended the concession of bail by this Court vide order dated 15.01.2024.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 24.04.2024; the investigation in the case in hand is complete as challan stands presented. The trial will take considerable time to conclude as prosecution witnesses are not appearing before the trial court for getting their statement recorded.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

29.02.2024
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(MANJARI NEHRU KAUL)
JUDGE

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