

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM No. 5677 of 2024 in/and  
CRM-M No. 13085 of 2022 (O&M)  
Date of Decision: 13.02.2024

Gurnam Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Karanjeet Singh Brar, Advocate  
for the petitioner.

Mr. Kewal Singh, Additional Advocate General, Punjab

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**HARKESH MANUJA, J. (ORAL)**

**CRM-5677-2024**

Prayer in the present application moved on behalf of the applicant-petitioner is for preponing the date of hearing of main case from 05.03.2024 to some earlier date.

Notice of the application.

Learned State Counsel accepts notice of the application and has no objection against the prayer made in the application.

In view of the above, present application is **allowed**; the main case is preponed from 05.03.2024 and taken up today itself.

**MAIN CASE**

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.42 dated 24.05.2021, under Sections 22 & 29 of NDPS Act, registered at

Police Station Lakho Ke Behram, District Ferozepur, wherein the petitioner was implicated on the disclosure statement made by co-accused, namely, Gurwinder Singh and Gurjant Singh from whom the alleged recovery of 13500 and 20000 tablets of Tramadol respectively were made.

[2] Learned counsel for the petitioner submits that the petitioner is in custody since 27.05.2021 and was falsely implicated in the present case. He also submits that co-accused-Baljinder Singh, who was also implicated on the basis of disclosure statement of the aforesaid co-accused persons, namely, Gurwinder Singh and Gurjant Singh, has already been granted the benefit of regular bail by this Court vide order dated 01.02.2024 passed in CRM-M-3382-2022; thus prayer is for grant of regular bail to the petitioner.

[3] On the other hand, learned State Counsel vehemently opposes the prayer for grant of regular bail to the petitioner while submitting that the petitioner is involved in another FIR No. 41 dated 23.05.2021, wherein heavy recovery of total 33500 tablets of Tramadol was made from the co-accused, namely, Gurwinder Singh and Gurjant Singh, who disclosed the name of the petitioner as well and pointed out towards his involvement.

[4] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

[5] In the present case, the investigation stands concluded with the filing of challan followed by framing of charges wayback on 20.04.2022; however, even after the expiry of almost one year and nine months, out of total 13 prosecution witness, only 04 have been examined, whereas the

