

2024.PHHC.093636



219.

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

CRM-M-22116-2024

Date of decision: 24.07.2024

Manpreet Singh @ Mani

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J.

1. This petition has been filed under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case FIR No.0309, dated 24.12.2020, under Sections 22 and 29 of NDPS Act, 1985, registered at Police Station Lehra, District Sangrur.

2. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present FIR. He was nominated in the present case on the basis of disclosure statement of co-accused. Nothing has been recovered from the possession of the petitioner. He was arrested on 06.09.2021. Trial in the case will take long time to conclude. No useful purpose would be served by keeping the petitioner in custody anymore.

3. Learned State counsel has filed status report by way of affidavit of Deepak Rai, P.P.S., Deputy Superintendent of Police, Sub-Division Lehra, District Sangrur on behalf of respondent-State, which is taken on record. She submits that the petitioner was brought on production warrant and during investigation, he admitted that the recovery effected from the possession of co-accused, was supplied by him. Custody certificate dated 24.07.2024 has also been filed, which is taken on record. As per said custody certificate, the petitioner has undergone 2 years, 10 months and 16 days. Petitioner is found to have involved in another case under Sections 22, 25, 29 of NDPS Act, Police Station Sadar Budhlada. Though she has opposed the bail but does not dispute the custody and the fact that out of 14 witnesses cited by the prosecution, only 3 have been examined.

4. I have heard the submissions of learned counsel for the petitioner, learned State counsel and have gone through the paper book.

5. Considering the fact that petitioner is in custody for the last 2 years, 10 months and 16 days and trial in the case will take some time to conclude, this Court deems it appropriate to release the petitioner on regular bail.

6. Accordingly, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of concerned learned trial Court/Duty Magistrate. However, the

petitioner shall got his mobile phone registered with the CIS system and will not change his address.

7. It is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial court shall decide the case on the basis of material available before it.

(GURBIR SINGH)
JUDGE

July 24, 2024
sanjeev

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