

2024:PHHC:078804



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27414-2024
Date of Decision: May 31, 2024

SAJANPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 119 dated 25.06.2021 registered under Sections 22(C)/61/85 of NDPS Act (Section 29 of NDPS Act was added later on) registered at P.S. Sadar Faridkot, District Faridkot, wherein, the petitioner has been implicated against the alleged recovery of 980 tablets of Tramadol Hydrochloride.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner who is stated to be involved in one more case under the provisions of IPC besides, the present FIR.
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.

4. In the present case, investigation already stands concluded with the filing of challan followed by framing of charge and so far only 4 prosecution witnesses have been examined out of total of 23, thus, the conclusion of trial is likely to take some time. Moreover, the petitioner is in custody for the past almost 1 year and 4 months and is not involved in any other case under the provisions of NDPS Act. Considering the aforesaid facts and circumstances, this Court does not find justification to extend his incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, 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. Nothing expressed herein shall be treated as an expression of opinion on the merits of the case.

31.05.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>