

S. No.214

2024:PHHC:043793

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

CRM-M-34048 of 2023

Date of Decision:02.04.2024

Prem Singh @ Soni

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Gill, Advocate for the petitioner.

Mr. G.P.S. Bhullar, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.42 dated 07.04.2023, registered under Section 22 (Act No.61 of 1985) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act') at Police Station Longowal, District Sangrur.

As per prosecution allegations, 1000 intoxicating tablets of Alprasafe were recovered from the possession of the petitioner containing the salt of Alprazolam. The total weight of the contraband was found to be 119 grams as informed by learned State Counsel.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated; that he is in custody for the last about one year; that the trial may take long time to conclude as not even a single witness has been examined so far and that he is not involved in any other case pertaining to the NDPS Act, and so he be allowed bail.

Learned State Counsel has opposed the bail petition by pointing out towards the criminal antecedents of the petitioner inasmuch as he is involved in five other cases, details of which are given in custody certificate. However, it is

conceded by learned State Counsel that none of the other cases against the petitioner pertain to the NDPS Act and that he is on bail in four cases and has been acquitted in one of the case.

It is also informed by learned State Counsel that charges were framed on 28.08.2023; that out of ten witnesses cited by the prosecution, not even a single witness has been examined so far and thus trial is likely to take long time to conclude. Petitioner is in custody for the last 11 months and 29 days as per the custody certificate placed on record.

Having regard to all the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

April 02, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No