



statement. It has also been submitted that charges have been framed in the present case, however, none of the prosecution witnesses out of 12 cited has been examined so far. Hence, there is no likelihood of the trial concluding in the near future.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed that the petitioner is not involved in any other criminal case; it has also not been disputed that the alleged recovery of 365 grams of heroin was affected from co-accused Simranjit Singh and no recovery of any contraband was affected from the petitioner.

4. On a pointed query put to the learned State counsel qua the stage of trial, he has submitted that the charges have been framed, however, none of the prosecution witnesses out of 12 cited has been examined.

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

6. As not disputed by learned State counsel, none of the prosecution witnesses has been examined so far, hence, there is no possibility of the trial concluding in the near future. Concededly, the petitioner is not involved in any other criminal case much less under the NDPS Act. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. 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. 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.



CRM-M-37753-2024

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

09.08.2024
sonia

(MANJARI NEHRU KAUL)
JUDGE

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