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2024:PHHC:015090

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

CRM-M-50193-2023

Date of Decision: February 05, 2024

MANGE RAM @ MANGU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ram Avtar Sheoran, Advocate for the petitioner.
Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of this third petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 354 dated 08.10.2021 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dabwali Sadar, District Sirsa wherein, the petitioner has been implicated against the alleged recovery of 1,110 tablets of Tramadol weighing 440.68 grams and 440 tablets of Lorazepam salt weighing 31.3 grams.

2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the huge recovery of intoxicants.

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 out of 12 witnesses cited by prosecution only three have been examined so far. Moreover, the petitioner is behind the bars for a period of almost 2 years & 4 months by now and even the trial is likely to take some time. Considering the aforesaid, and the snail pace of trial which is defeating the Constitutional right of the petitioner as that of speedy trial flowing from Article 21 of the Constitution of India, 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.

05.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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

