

S. No.215

2024:PHHC:050136

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

CRM-M-50837 of 2023

Date of Decision:15.04.2024

Alok Tiwari @ Akash Tiwari

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Randeep Singh Waraich, Advocate for the petitioner.

Mr. Sahil R. Bakshi, 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.54 dated 28.03.2023 registered under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Moti Nagar, Ludhiana, District Ludhiana.

As per allegations, on 28.03.2023, 21 kg 600 grams of ganja was recovered from the possession of the petitioner, which falls in the commercial category.

Learned Counsel contends that the petitioner is in custody for the last more than one year; that the trial is not proceeding as not even a single witness has been examined so far. Learned counsel further contends that recovered quantity is marginally higher than the commercial quantity and that the petitioner is not involved in any other case.

Learned Sate Counsel concedes the fact that the petitioner is not involved in any other case. As per the custody certificate placed on record, petitioner is in custody for the last 01 year and 15 days with no other criminal case pending against him.

Learned State Counsel, on instructions from ASI Pawanjit Singh, informs that out of 14 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. The recovered quantity of contraband is marginally higher than the commercial quantity as it starts from 20 kg.

Having regard to all the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, the 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 15, 2024
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(DEEPAK GUPTA)
JUDGE

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