

217 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-53206-2022

Decided on:-01.02.2024

Happy Singh

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Arjun Veer Sharma, Advocate,
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.208, dated 29.04.2021 registered under Sections 22 and 29 of the NDPS Act, 1985, at Police Station City, District Barnala.

2. Learned counsel for the petitioner submits that the petitioner has been implicated for the alleged recovery of 13,990 intoxicant tablets of “Tramadol”.

3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while referring to the huge recovery of intoxicant tablets.

4. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.

5. In the present case, petitioner has already suffered incarceration for a period of more than 2 years & 09 months, whereas, the investigation stands concluded with filing of challan followed by framing of charges and trial is likely to take some time. Moreover, there is no other case pending against the petitioner. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, 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 Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

01.02.2024
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(HARKESH MANUJA)
JUDGE

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