

[229] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54783-2023
Date of Decision : 08.01.2024

Jaspal Singh ...Petitioner
versus
State of PunjabRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA
Present : Mr. Kanwaljeet Singh, Advocate for the petitioner.
Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

- [1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.116 dated 25.11.2022 under Sections 15 & 25 of NDPS Act, 1985 (Section 29 of NDPS Act added later on) registered at Police Station Tappa Mandi, District Barnala.
- [2] As per prosecution allegations, 56 kg. of poppy husk was recovered from a swift car on 25.11.2022. The said car was being driven by the petitioner, whereas Jaspal Singh was sitting on the conductor seat.
- [3] It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the case and that co-accused Jogi Singh had already been allowed bail vide order dated 13.12.2023 passed in CRM-M-61504-2023.
- [4] It is further contended that the petitioner is in custody from the last more than 01 year and that trial may take time to conclude.

[5] Status report by way of affidavit dated 08.01.2024 of Shri Manavjit Singh Sidhu, Sub Division Tapa, District Barnala on behalf of the respondent-State has been filed in Court today. The same is taken on record.

[6] Learned State Counsel opposed the bail petition by pointing out the commercial nature of the contraband recovered from the petitioner. However, it is conceded that the petitioner is in custody from the last 01 year, 01 month and 08 days as per the custody certificate. It is also informed by the State Counsel that out of 15 witnesses cited in the petition, only 04 witnesses have been examined so far. Thus, trial may take time to conclude.

[7] Having regard to the above facts and circumstances and also on the basis of parity, but without commenting anything further on the merits of the case, this petition is allowed and the petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

08.01.2024
'Rajneesh'

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