

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208 CRM-M-60828-2023
Date of Decision.:03.05.2024

Husanpreet Singh @ Husan Vs. State of PunjabPetitioner
.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Harjoginder Singh.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.48 dated 13.05.2023 registered under Sections 15 & 29 of NDPS Act registered at Police Station Dirba, District Sangrur.

2. As per the prosecution allegations, petitioner was travelling with co-accused Soni Singh in a car, when they were apprehended by a police party. 105 Kg of poppy husk kept on the back seat of the car was recovered.
3. Learned counsel for the petitioner contends that petitioner has been falsely implicated simply because he was accompanying the co-accused Soni Singh; that he has never been involved in any such activity; that he is in custody for the last approximately one year with no criminal

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antecedents; that trial may take time to conclude and so, he be allowed bail.

4. Learned State counsel has opposed the bail petition by pointing out that recovered quantity of contraband falls in the commercial category. However, it is conceded by learned State counsel that petitioner is not involved in any other criminal case pertaining to the NDPS Act.

5. The custody certificate placed on record by learned State counsel would reveal that petitioner is in custody for the last 11 months and 23 days. Apart from that, learned State counsel on instructions from ASI Harjoginder Singh informs that out of 19 witnesses cited by the prosecution not even a single witness has been examined so far. Thus, trial is likely to take long time to conclude.

6. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and 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

May 03, 2024
Neetika Tuteja

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