



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

CRM-M-4049-2025

Date of Decision: 29.01.2025

Charanjit Singh @ Gheechu

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Davinder Singh, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.34 dated 05.06.2019 under Section 22 of NDPS Act, 1985, registered at Police Station Aur, District SBS Nagar.

2. It has been vehemently contended by counsel for the petitioner that the petitioner was prosecuted in the aforesaid FIR and he was arrested on 05.06.2019. It is submitted that alleged 10 injections of Buprenorphine were recovered from the petitioner. He submits that as per the FSL report, the alleged contraband recovered from the petitioner was of non-commercial quantity and thus, the trial Court granted him bail on 30.11.2019. The petitioner was duly appearing before the trial Court on every date, however, he remained absent only on one date i.e. 04.04.2024, hence, his bail was cancelled and he was ordered to be summoned through non-bailable warrants. He submits that the petitioner was arrested in the present case. It is submitted that the petitioner is facing trial from the last five years. He submits that absence of the petitioner was totally unintentional. It is further submitted that the petitioner approached the Court of learned Special Court,



SBS Nagar praying for grant of bail, however, the same was declined vide order dated 01.10.2024. He submits that till date the trial is not over and thus, the fundamental right of the petitioner of speedy trial is totally defeated.

3. However, learned State counsel has submitted that though the petitioner was arrested for recovery of contraband which falls under the non-commercial quantity, however, despite being granted concession of bail, he jumped the bail and hence, his bail was cancelled. On instructions, he submits that only one witness remains to be examined.

4. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested for alleged recovery of contraband falling in non-commercial quantity. Admittedly, he was granted bail by learned Special Court vide order dated 30.11.2019. However, he remained absent only on one date i.e. 04.04.2024 and thus, his bail was cancelled and he was ordered to be summoned through non-bailable warrants. There is no denial to the fact that the petitioner is facing trial from the last five years and still one witness remains to be examined.

5. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take some time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

6. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion
on the merits of the case.

		(RAJESH BHARDWAJ)
		JUDGE
29.01.2025	Whether Speaking/Reasoned :	Yes/No
sharmila	Whether Reportable :	Yes/No