

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-1242-2020

Date of decision: 18.08.2020

Vikram Singh and another

.....Petitioners

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sandeep Kotla, Advocate
for the petitioners.

Mr. H.S. Sullar, DAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioners-Vikram Singh and Vikas Kumar, stated to be aged 50 & 42 years respectively, have jointly filed the present petition under Section 439 Cr.P.C. *inter alia* with a prayer for grant of bail in case FIR No.122 dated 25.08.2019, registered under Sections 18/61 of NDPS Act, 1985, at Police Station Sadar Ludhiana, District Ludhiana.

At the outset, learned counsel for the petitioners submits that the petitioners have almost completed one year of custody as they were arrested on 25.08.2019. He further submits that the alleged recovery is of 02 kg 560 grams of opium, which is marginally above the limit prescribed for commercial quantity.

On instructions from ASI Pritpal Singh, learned State counsel submits that on 13.12.2019, charges were framed in this case. There were total of 15 witnesses, but, none has been examined till date. It is also submitted that both the petitioners are not involved in any other case.

Faced with the situation, learned counsel for the petitioners submits that due to the present COVID-19 situation, detention of the petitioners in jail would be dangerous to their life and also the fact that trial is likely to take some time, the petitioners may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19, this Court deems it appropriate to direct release of the petitioners on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to their furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

18.08.2020

anju rani

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No