

CRM-M No. 1266 of 2020

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

CRM-M No. 1266 of 2020

DATE OF DECISION :- January 31, 2020

JASVIR SINGH @ JASSI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

This petition for regular bail has been filed by petitioner Jasvir Singh @ Jassi, an accused in F.I.R. No. 178 dated 06.07.2019, for offences under Sections 18/25 of NDPS, Act, registered at Police Station Sadar Mansa.

As per prosecution story, the accused when apprehended by the police on 06.07.2019 was found in possession of 250 gram of opium in the area of link road of village Nangal Khurd, Police Station Sadar Mansa. He was arrested in this case. On completion of investigation, challan has been filed. During the trial, 4 prosecution witnesses out of total 11 prosecution witnesses are stated to have been examined. The petitioner had filed an application for grant of regular bail, which was, however, dismissed by the

Special Court, Mansa, vide order dated 05.08.2019. As such, he has approached this Court with a similar request.

Notice of this petition was given to the State. State counsel has placed on file the custody certificate of the petitioner showing that the petitioner is in custody in this case for a period of six months and thirteen days, which includes remission also.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Learned counsel for the petitioner submits that the petitioner is a young man and his wife Amandeep Kaur has recently given birth to a dead child and she is suffering from septicemia. He has drawn my attention to certificate issued by the Uppal Hospital, Sangrur, dated 25.09.2019 in that regard stating that presence of the petitioner is required to meet his ailing wife. He has further contended that the recovery of contraband involved is on very lower side and is also of non-commercial quantity. As far as two other criminal cases registered against him, in one he has been acquitted by the Special Judge, Sangrur, vide judgment dated 24.09.2018. A copy of that judgment has been placed on the file. As regards the another criminal case, he submits that the accused is on bail in the said case. It is also submitted that the petitioner is a patient of Hepatitis C and is seriously sick.

Keeping in view the facts and circumstances of the case, the quantity of contraband which is stated to have been recovered and on the ground of the ailment of the petitioner and his wife as well as the fact that the trial is at initial stage and conclusion of the same is likely to take some

CRM-M No. 1266 of 2020

time, I find that the petitioner deserves to be granted the benefit of regular bail.

In view of the above, this petition is accepted. Petitioner Jasvir Singh @ Jassi is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Mansa. However, it is made clear that in case the petitioner is found indulging in any criminal act at a later stage, his order granting bail is liable to be withdrawn.

(H.S. MADAAN)
JUDGE

January 31, 2020
Nisha

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No