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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.2307 of 2020 (O&M)
Decided on: 03.12.2020

Angrej Ram and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. G.S. Sandhu, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.235 dated 16.10.2019, for offence punishable under Sections 22/25 of the NDPS Act, registered at Police Station Raman, District Bathinda.

Counsel for the petitioner has argued that as per the allegations in the FIR, the police officials apprehended the petitioners and recovered 142 strips of intoxicant tablets of CLOVIDOL-100 SR. It is further submitted that both the petitioners are the first offenders and they are in custody for the last 01 year and 01 month and till date, out of 11 prosecution witnesses, none has been examined due to COVID-19 situation.

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case,

CASE HEARD THROUGH VIDEO CONFERENCING

considering the fact that this petition is pending since 24.01.2020 and despite a lapse of about 11 months, the trial is not progressing; the petitioners are not involved in any other case; the custodial interrogation of the petitioners are not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioners are directed to be released on interim bail till 30.04.2021 subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

03.12.2020

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No