

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

Sr. No.211

CRM-M-5421-2020

Date of decision: 14.10.2020

Harpal Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.178 dated 17.09.2019 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short – the NDPS Act) at Police Station Kotwali Bathinda, District Bathinda.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; he has been in custody since 17.09.2019; there is no other case under the NDPS Act in which the petitioner is involved; co-accused Gurpreet Singh against whom there are identical allegations filed before this Court CRM-M-23716-2020 was granted regular bail on 25.08.2020 and that the petitioner's trial in which 13 prosecution witnesses still remain to be examined is likely to take a long time to conclude especially in the present circumstances when the world is

facing the Covid-19 pandemic.

Learned State counsel opposes the grant of bail on the ground that the petitioner was found in illegal possession of 15 vials of Onerex 100 ml each.

There is no other case under the NDPS Act in which the petitioner is involved; he has already suffered incarceration for about 01 year and 01 month; co-accused Gurpreet Singh against whom there are identical allegations has been granted regular bail by this Court and the petitioner's trial in which 13 prosecution witnesses still remain to be examined is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Bathinda, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(DEEPAK SIBAL)
JUDGE

October 14, 2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No