

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

211

CRM-M No.8016 of 2020

Date of Decision: October 27, 2020

Mangal Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR JUSTICE SUDIP AHLUWALIA

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

SUDIP AHLUWALIA, J. (Oral)

Case has been taken up through video conferencing in view of the outbreak of Pandemic COVID-19.

2. The present petition has been filed under Section 439 Cr.P.C. for grant of Regular Bail to the petitioner in Case FIR No.147 dated 20.09.2019, registered under Section 22/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Malout, District Sri Muktsar Sahib.

3. The submission raised on behalf of the petitioner is that on the previous date i.e. 08.09.2020, it was recorded by the Co-ordinate Bench in its order that there are other cases of similar nature against the petitioner, after which a detailed report of the pending FIRs against the petitioner was directed

to be placed on record.

4. Subsequently, the reply on behalf of the State by way of an affidavit of the Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib has been placed on record.

5. Perusal of Para No.6 thereof goes to reveal that earlier the petitioner was involved in 07 different FIRs. The first 06 of these FIRs were all for offence under Section 61 of the Excise Act and related to the period between 18.09.1986 to 17.08.1988 at the same Police Station. He was therefore, involved in the last FIR being FIR No.74 dated 21.12.2011 for the offence under Section 15 of the NDPS Act, 1985 but was acquitted by learned Judge, Special Court, Sri Muktsar Sahib on 09.06.2016.

6. Consequently, the petitioner cannot be said to be involved in any other case under the NDPS Act, 1985, apart from the present one.

7. He has remained in detention in the present case for more than one year since 20.09.2019 and is an old man of 71 years.

8. After completion of investigation, challan was filed against him in the month of February of this year and the charges framed subsequently in March 2020.

9. Thereafter, evidence from the prosecution side could not be commenced due to the outbreak of Covid-19 Pandemic, although as many as 17 witnesses have been cited in the challan.

10. Considering all the above circumstances and without commenting any further on the merits of the present case as a whole, and in view of the detention undergone by the petitioner, as also the fact that the trial is likely to take its own considerable time due to ongoing Covid-19 Pandemic, the prayer

of the petitioner for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

11. Disposed off.

(SUDIP AHLUWALIA)
JUDGE

October 27, 2020
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Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No