

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

CRM M-8723 of 2020

Date of Decision: August 14, 2020

Jagga SinghPetitioner
Versus
State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Jasinder Singh Thind, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

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

Petitioner Jagga Singh who is in judicial custody has come in this second regular bail application moved under Section 439 Cr.P.C. in FIR No. 62 dated 02.07.2019 under Sections 22-C/61/85 of NDPS Act, 1985 registered at Police Station Rori, Sirsa.

The brief allegations are that on 02.07.2019, the

police apprehended the accused while coming on foot leading to recovery of 2000 intoxicating tablets from his possession and registration of FIR.

Mr. Jasinder Singh Thind, learned counsel for the petitioner has submitted that the petitioner has already undergone detention of more than 01 year and in a similar situation like the prevalent, this Court has allowed the bail in similar recovery of contraband cases and has placed reliance on CRM M-16336 of 2020 (O&M) decided on 29.07.2020 titled as **Sanjay Kumar Vs. State of Punjab**, CRM M-15530 of 2020 (O&M) decided on 24.07.2020 titled as **Sagar Arora Vs. State of Punjab**, CRM M-19285 of 2020 decided on 06.08.2020 titled as **Taranjit Singh @ Tarni Vs. State of Punjab**, CRM-M 46318 of 2019 decided on 17.12.2019 **Jagsir Singh @ Seera Vs. State of Punjab** and CRM M-16824 of 2020 decided on 30.06.2020 titled as **Raj Kumar Vs. Narcotic Control Bureau, Chandigarh.**

Mr. Baljinder Virk, DAG, Haryana learned State counsel though does not displace the facts but has opposed the bail on the grounds that the recovery effected from the petitioner falls under the commercial quantity but at the same time learned State counsel also fairly concedes that there is no other criminal case against the accused.

Appreciating the submissions of the two sides, the petitioner has undergone more than 01 year of incarceration. In view of the uniformity of decisions and principle of parity as has been the ratios cited before this Court coupled with the prevalent COVID-19 pandemic situation impels this Court to release the petitioner on bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

Disposed off.

August 14, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No