

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9715-2020 (O&M)

Date of Decision: 18.08.2020

Darshan Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. BS Jatana, Advocate for the petitioner

Mr. HS Sullar, DAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

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

The petitioner Darshan Singh aged 60 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.285 dated 17.10.2019 under Section 22 of the NDPS Act, 1985 registered at PS Sardulgarh, District Mansa.

Learned counsel submits that the petitioner was arrested on 17.10.2019. He is 60 year old person. He further submits that there is no other case in which the petitioner is involved. He submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner has a *prima facie* good case on merits.

Learned State counsel, on instructions from SI Shivji Ram submits that challan in the present case was presented on 07.04.2020. There are a total of 9 witnesses and none have been examined till date. He submits that recovery in this case is commercial in nature as it is approximately 300 gms.

Faced with this situation, counsel for the petitioner then submits that due to the present COVID-19 situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner is entitled for regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

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

The petition stands disposed of accordingly.

18.08.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No