

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11148-2020

Date of Decision: 02.07.2020

Sarabjeet Singh @ Jeeti

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kamaldip Singh Sidhu, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.112 dated 30.10.2019, under Sections 21/25/27-A/29 NDPS Act, 1985, registered at Police Station Special Task Force, District SAS Nagar. The petitioner is in custody since his arrest on 01.01.2020.

On 30.10.2019, the police received a secret information, wherein it was disclosed that Gurpreet Singh @ Soni, his wife Harpal Kaur @ Pal, Vijay and Kulwant Singh and Satnam Singh (both brother-in-laws of Gurpreet Singh @ Soni) and Bhura were engaged in selling heroin. According to the information, they have kept heroin at the house of Gurpreet Singh @ Soni. Believing the said information, a raid was conducted at the house of Gurpreet Singh @ Soni and one kg heroin was recovered.

Learned counsel for the petitioner contends that the name of the petitioner was not mentioned by the secret informer and at the time of

recovery, only Harpreet Kaur @ Pal was arrested. It is pointed out that she has been released on regular bail vide order dated 19.06.2020 passed by this Court in CRM-M-14072-2020. He submits that the petitioner has been indicted as an accused on the strength of Section 27-A NDPS Act. According to him, the investigation of the case is complete as the final report has been filed before the trial Court. He prays for grant of regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Jagdev Singh, has opposed the prayer, however, it is not disputed that the name of the petitioner was not mentioned in the FIR. According to him, the petitioner was involved in four other cases. He has filed the affidavit of Sukhamrit Singh Randhawa, PPS Deputy Superintendent of Police, STF Patiala Range, Patiala, wherein details of four cases have been given. In three of the cases, the petitioner stands acquitted, whereas the fourth case, he was convicted and a sentence of one month rigorous imprisonment was imposed upon him along with a fine of Rs.1,000/-. It is submitted by him that the final report has been filed on 12.05.2020. It is also not disputed that co-accused Harpal Kaur @ Pal and Kulwant Singh have been released on regular bail vide order dated 19.06.2020.

Considering the above, the custody of the petitioner and the fact that the trial is likely to consume considerable time to conclude in view of the spread of global pandemic, namely, COVID-19 as the State Administration has imposed restrictions to curb its spread, so no useful purpose would be served by keeping the petitioner behind the bars. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above

case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, SAS Nagar.

The petition is allowed.

02.07.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No