

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

204**Date of decision: 06.11.2020**

1.

CRM-M-11335-2020**Balwinder Singh @ Palwan @ Kittu****.....Petitioner****versus****State of Punjab****....Respondent**

2.

CRM-M-2897-2020**Shamsher Singh @ Shera****.....Petitioner****versus****State of Punjab****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. J.S. Dadwal, Advocate for the petitioner
in **CRM-M-11335-2020**.

Mr. Ranjodh Singh Sidhu, Advocate, for the petitioner
in **CRM-M-2897-2020** .

Mr. Saurav Khurana, DAG, Punjab
(*the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court*).

GIRISH AGNIHOTRI, J. (Oral)

This order shall dispose of CRM-M-11335-2020 and CRM-M-2897-2020 as common issues are involved. For the sake of convenience, CRM-M-11335-2020 is being treated as the lead case.

Petitioner-Balwinder Singh @ Palwan @ Kittu in CRM-M-11335-2020 and Petitioner-Shamsher Singh @ Shera in CRM-M-2897-2020, have filed the present petition(s) *inter alia* with a prayer for grant of

regular bail in case FIR No.0122 dated 21.10.2019, under Sections 21, 29, 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Jhabal, District Tarn Taran.

Learned counsel for the petitioners by making reference to the contents of FIR submits that the alleged recovery is non commercial. Learned counsel further submit that from petitioner-Balwinder Singh @ Palwan, 210 gram of heroine has been allegedly recovered, whereas from petitioner-Shamsher Singh @ Shera, 100 grams of heroine has been recovered. It is also submitted by the counsel that the commercial quantity is above 250 grams.

Learned State counsel, on instructions from ASI Baljinder Singh, submits that investigation is complete and challan has been presented. There are total of 10 witnesses but none has been examined till date. He further submits that there is no other case against the petitioners.

Faced with the situation, learned counsel for the petitioners submit that petitioners namely, Balwinder Singh and Shamsher Singh @ Shera, are young men, aged 39 and 29 years respectively. Counsel for the petitioners then submits that due to the present COVID-19 situation, detention of the petitioners in jail would be dangerous to their lives and also the fact that trial is likely to take some time, the petitioners may be granted concession of regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to release the petitioners on regular bail to

the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to their furnishing adequate 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.

Disposed of accordingly.

06.11.2020.
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(GIRISH AGNIHOTRI)
JUDGE

Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No