

CRM-M-12625-2020 (O&M)

Date of decision: 18.08.2020

Pargat Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Ms. Amandeep Kaur, Advocate
for the petitioner.Mr. Jagmohan Ghumman, DAG, Punjab
for the respondent-State.**FATEH DEEP SINGH, J.(ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner-Pargat Singh has come up in this first regular bail application under Section 439 Cr.P.C. in a case bearing FIR No.185 dated 21.09.2019 under Section 22 with the help of Section 29, Notification No.61, of the NDPS Act registered at Police Station Dirba District Sangrur.

The allegations are that on 21.09.2019, the police accosted two persons riding a motorcycle who disclosed their names as co-accused/non-applicants-Rajinder Singh @ Kaka and Sarabjit

Singh @ Chhaba, and from their possession, intoxicating tablets were got recovered. During the course of interrogation, the accused disclosed that they had purchased the contraband from the petitioner.

Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars since 10.12.2019 and that there is no semblance of evidence against him to connect him with the alleged recovery.

The learned State counsel, on instructions from SI Satguru Singh Police Station Dirba, District Sangrur, though does not displace the facts but has strongly opposed the grant of bail on the grounds that the huge quantity of contraband of intoxicating tablets has been got recovered from the accused and petitioner is not entitled to any relief.

Appreciating the submissions as is conceded at the bar, recovery has been effected from co-accused/non-applicants. It is only on the statement of the co-accused, the present petitioner has been got involved in and thus, the very legality and validity of such evidence whether admissible evidence is to be adjudicated at the time of trial. Petitioner is behind the bars since long and on account of pandemic COVID-19 situation, the trial is not likely to be concluded in the near future, thus, this Court deems it a fit case to allow the present petition without feeling the necessity to advert on to the merits. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands disposed off accordingly.

18.08.2020

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No