

204.

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

CRM-M-12604-2020

Date of decision: 02.06.2020

JASWINDER SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Karunesh Kaushal, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.0179 dated 04.09.2019 registered under Sections 15, 25, 61, 85 of NDPS Act at Police Station Sangat, District Bathinda.

Learned counsel for the petitioner submits that the petitioner was merely a passenger in the car, sitting on front conductor side seat and recovery of 70 kgs of poppy husk in 5 bags was effected from the truck/boot of the car. The said recovery was effected from the possession of the driver, who happens to be the owner of the vehicle as well. The petitioner is in custody for about 9 months and there are as many as 21 witnesses cited by the prosecution and no such witness has been examined in the case. There is no other case against the petitioner.

Learned State counsel does not dispute the custody and the fact that the recovery is of 70 kgs of poppy husk. She fairly states that no prosecution witness has been examined in the case and there is no other case against the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody for about 9 months and the trial is not likely to be concluded in the near future and there being no other case against the petitioner, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

It is made clear that in case at a later stage, it is found that the petitioner is involved in any other case, the prosecution shall be at liberty seek cancellation of his bail.

(HARI PAL VERMA)
JUDGE

02.06.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No