

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-13089-2020 (O&M)
Date of decision: 05.11.2020

Jasdeep Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

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)

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

Petitioner – Jasdeep Singh, stated to be aged 21 years, has filed the present petition under Section 439 CrPC *inter alia* praying for grant of regular bail in case FIR No.24 dated 15.02.2020 under Section 22 of NDPS Act, (Act 61 of 1985) and Sections 25 and 29 (added later on) of NDPS Act, (Act 61 of 1985) registered at Police Station Budhlada, District Mansa.

Learned counsel for the petitioner based on pleadings, submits that as per allegations in the FIR, HC Jaskaran Singh allegedly nabbed two youngsters along with their motorcycle. Learned counsel submits that the petitioner was not named in the FIR. Learned counsel, further submits that

the petitioner was not present at the spot. He, however, submits that the petitioner has been involved on the disclosure statement of co-accused, namely, Gurjit Singh. He then submits that the co-accused Gurjit Singh was granted interim bail by the trial Court.

Learned State counsel, on instructions from ASI Rajpal, submits that there is a recovery of 3500 tablets of Clovidol 100-SR. It is noticed in the order dated 01.05.2000, passed by the Judge Special Court, Mansa, that as per the report received from Superintendent, District Jail, Mansa, that accused is on treatment from Civil Hospital, Mansa. He submits that there is no other case in which the petitioner is involved. He further submits that the investigation is complete. There are total of 18 witnesses, but none has been examined till date.

Faced with the situation, learned counsel for the petitioner submits that the petitioner is a young boy aged 21 years, who was only been named in the disclosure statement. Learned counsel then submits that due to the present COVID-19 situation, detention of the petitioner in jail is dangerous to his life, therefore, petitioner may be granted concession of regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

However, it is made clear that anything observed herein shall

not be construed as an expression on merits of the case.

(GIRISH AGNIHOTRI)
JUDGE

05.11.2020

jyoti3

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No