

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

**CRM-M-15449-2020
Date of decision: 17.09.2020**

Sukhwinder Singh @ Laddu Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rajinder Singh Bhata, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 136 dated 08.12.2018, registered under Section 22 of the NDPS Act, 1985 at Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner submits that as per the allegations in the FIR, one ASI Harpreet Singh of Ferozepur Range gave an information to IO/ASI Bhagwan Singh that one person, after procuring the medicines from one Happy, who is running a medical store, is selling the same in the area of Police Station Arniwala. Thereafter, a Naaka was laid and the petitioner was arrested with 1040 intoxicant tablets and later on, on the disclosure statement, total 6620 intoxicant tablets were recovered.

Learned counsel further submits that now the Investigating Officer has appeared as PW-3 and in the cross-examination, he has shown his ignorance about ASI Harpreet Singh as well as Happy, who was named in the secret information and has stated that he has not reduced the secret

information in writing.

It is further submitted that there are variations in the FIR and the version given by the Investigating Officer.

Learned counsel further submits that petitioner is in judicial custody for the last more than one year and nine months and he is not involved in any other case.

Learned counsel further submits that the last prosecution witness was examined on 16.03.2020 and thereafter, the trial is not proceeding in view of Covid-19 situation in country.

In reply, learned State counsel could not dispute the factual position and submitted that out of total eleven prosecution witnesses, eight witnesses have been examined and the petitioner is not involved in any other case.

After hearing learned counsel for the parties, without commenting upon the merits of the case, considering the submissions made by learned counsel for the parties, the present petition is disposed of and the petitioner is ordered to be released on interim bail till 25.01.2021 on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

17.09.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*