

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

CRM-M-13644 OF 2020

DATE OF DECISION : 14.07.2020

Bachittar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

The petitioner is seeking regular bail in FIR No.119 dated 20.08.2015 under Section 22 of NDPS Act registered at Police Station Gharinda, District Amritsar.

2. As per allegations contained in the FIR, police party headed by ASI Jagwinder Singh apprehended petitioner. He was found in possession of 270 gms intoxicating powder containing Diphenoxylate Hydrochloride, which is commercial in nature.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by the trial Court on 31.10.2015. Despite no service of court summons or warrants after presentation of challan, he was declared proclaimed offender on 23.04.2018. When petitioner came to know that he has been declared proclaimed offender, he surrendered on 20.01.2020 and since then he is in custody.

4. Notice of motion.

5. Mr. Rana Harjasdeep Singh, DAG, Punjab, who has joined the proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State of Punjab. On a query of this court, he submits that investigation is over as challan has already been filed.

6. Having heard learned counsel for the petitioner, as well as learned State counsel, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars since investigation is already over and challan has already been filed. The petitioner is stated to be in custody since 20.01.2020. The trial is not likely to commence or conclude any time soon on account of current pandemic conditions.

7. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaqa Magistrate/ Duty Magistrate.

(ARUN MONGA)
JUDGE

JULY 14, 2020
shalini

Whether speaking/resoned :
Whether reportable :

Yes/No
Yes/No