

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

Criminal Misc.-M No.13879 of 2020
Date of Decision: June 26, 2020

Darminder Singh @ Tarwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Saransh Sabharwal, Advocate,
for the petitioner.

Mrs.Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.59 dated 18.07.2019, under Sections 22 and 25 NDPS Act, 1985, registered at Police Station, Majari, District SAS Nagar (Mohali), pending trial. The petitioner is in custody since his arrest on 18.07.2019.

As per the prosecution, on 18.07.2019 ASI Parminder Kumar along with other police officials was present near village Manakpur Sharif. At about 6.00 PM, a secret information was received that petitioner was habitual of selling intoxicant tablets and had concealed the tablets of Lomotil underneath the bedding of his bed and upon search, huge quantity of intoxicating tablets would be recovered. On receipt of the said

information and completion of formalities, raid was conducted and the accused was found present. During search of the disclosed place, 92 strips each containing 20 tablets (total 1840 tablets of Lomotil) were recovered. Petitioner could not produce any permit or licence, as a result of which he was arrested.

Learned counsel for the petitioner contends that the investigation of the case is complete, but the charges are yet to be framed by the trial Court. It is pointed out that the petitioner is not involved in any other case, much less of the similar nature and, therefore, considering the prevalent situation, his further custody may not be necessary. He prays for grant of regular bail during the pendency of the trial.

On the other hand, learned State counsel, who is assisted by SI Jasmer Singh, does not dispute this fact that the investigation in the subject FIR stands completed and the final report was submitted on 13.01.2020. It is pointed out by her that there are, in all, 13 witnesses and no one has been examined so far. She, on instructions, fairly states that the petitioner is not involved in any other case.

Considering the above, custody of the petitioner and the fact that the trial is likely to consume considerable time in view of the spread of global pandemic, namely, COVID-19 as the State Administration has imposed restrictions to curb its spread, so no useful purpose would be served by keeping the petitioner behind the bars. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, SAS Nagar (Mohali).

The petition is allowed.

June 26, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No