

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

CRM-M No.14127 of 2020 (O&M)
Date of Decision.19.06.2020
(Heard through VC)

Pargat Singh @ Pagga

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rajat Dogra, Advocate for
Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. Gaurav Dhuriwala, Sr. DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.119 dated 05.09.2013 under Section 21 of NDPS Act, 1985 registered at Police Station Sarhali, District Tarn Taran.

Counsel for the petitioner herein would contend that though the petitioner was granted regular bail by the trial Court but on 08.07.2019, he could not appear before the trial Court and therefore, his bail was cancelled. Subsequently, vide order dated 17.09.2019, petitioner was declared as proclaimed offender. He is in custody since 18.02.2020. It is further contended that the recovery made from the petitioner is of 50 grams of heroin, which is a non-commercial quantity.

Learned counsel appearing for the respondent-State opposes the regular bail, who argues that no ground is made out for concession of regular bail.

I have heard learned counsel for the parties. Keeping in view

the fact that the contraband recovered is of a non-commercial quantity and the petitioner had already been granted regular bail by the trial, which was cancelled due to his non-appearance on certain date of hearing, coupled with the fact the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength and not taking up regular hearing matters, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

June 19, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No