

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

**CRM-M-14481-2020 (O&M)**

**Date of decision-25.06.2020**

**Beant Khan**

**...Petitioner**

**Vs.**

**State of Punjab**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr.DAG, Punjab.

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**MANOJ BAJAJ, J.**

**CRM-12784-2020**

Application is allowed as prayed for.

**Main case**

Petitioner-Beant Khan has filed this petition under Section 439 Cr.P.C for grant of bail in case FIR No.75 dated 28.06.2019 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Moonak, District Sangrur, pending trial. The petitioner is in custody since his arrest on 17.01.2020.

As per the prosecution case, on 28.06.2019, when the Police party was on patrol duty at T-point Barrier Tohana Road, Moonak, a secret information was received that Beant Khan (petitioner) being engaged in selling of intoxicant tablets would be coming from Tohana on his vehicle (Toyota Corolla No.HR-51R-0335). Acting upon the same, accused was

apprehended. Upon search, 115 strips of Tab Clovidol 100-SR (10 each) were recovered from the possession of the petitioner.

Learned counsel for the petitioner contends that the trial in the above FIR is not making any headway as no prosecution witness has been examined till date. He submits that the petitioner was previously granted the concession of interim regular bail as the FSL report was awaited and the concession was never misused by him. He submits that the trial is likely to consume considerable time, therefore, petitioner be released on regular bail.

On the other hand, learned State counsel assisted by ASI Balbir Singh opposed the prayer. According to him, the quantity of the intoxicant tablets recovered from the petitioner falls in commercial category, however, it is not disputed by him that the charges were framed on 10.02.2020 and no prosecution witness has been examined so far. He fairly submits that the petitioner was released on interim regular bail on 02.08.2019 and was taken into custody on 17.01.2020 upon receipt of the FSL report.

After hearing learned counsel for the parties and considering the background of this case, this Court finds that the concession of interim regular bail was never misused by the petitioner. Also he is not involved in any other case much less of the similar nature, therefore, no useful purpose would be served by keeping him behind the bars. It needs to be noted here that the trial in the case is likely to take considerable time to conclude in view of the outbreak of global pandemic, namely, COVID-19 in the region as State Government and District Administration have imposed various restrictions to curb its spread.

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, Sangrur.

The petition is allowed.

25.06.2020  
vanita

(MANOJ BAJAJ)  
JUDGE

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