

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

Crl. Misc. M-14834 of 2020 (O & M)

Date of decision: 27.08.2020

213

Ranjeet Singh @ Jeet and another

....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. P.S. Sekhon, Advocate,
for the petitioners.

Mr. Hitten Nehra, Addl. A.G., Punjab.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

Crl. Misc. No. 21122 of 2020

Application for placing on record Annexures A-1 to A-6 and
for exemption from filing certified copies of the same is allowed, subject to
all just exceptions.

The same are taken on record.

Crl. Misc. M-14834 of 2020

The petitioners seek regular bail in a petition filed under
Section 439 Cr.P.C. in FIR No. 296 dated 18.09.2019 under Sections 21, 22,
25 and 29 of the NDPS Act, 1985, P.S. Sadar Mansa, District Mansa.

Counsel for the petitioners submits that the petitioners are in
custody for the last 8 months and 15 days as per the custody certificates
dated 26.08.2020.

Counsel for the State, on the other hand, has justified the detention and dismissal of the bail application before the Special Judge on the ground that the amount of contraband recovered is commercial in nature. The contraband which has been recovered are 18 strips of Carisoprodol tablets and 18 bottles of ONEREX, 100 ml each. It is, thus, submitted that the weight of the vials of ONEREX comes to 1800 grams, which is above the commercial quantity of 1 kg and the chemical report shows that the vials contained Codeine Phosphate.

The allegations in the FIR are that on a surprise checking, the two persons were apprehended on a canal road and the bag held by the pillion rider had fallen down while trying to drive away. In the course of investigation, it has been found that petitioner Ranjit Singh's father Naib Singh was the owner of the motor cycle in question. A perusal of the custody certificate would go on to show that there is no other case of similar nature against the petitioners.

Admittedly, the investigation is complete and the challan was presented on 03.03.2020 and the charges were framed on 09.04.2020. As per Mr. Nehra, out of the 12 prosecution witnesses, none has been examined and the case is now fixed for 15.09.2020.

Keeping in view the above facts and the fact that trial is likely to take considerable time specially in view of the Covid-19 pandemic, this Court is of the opinion that no useful purpose would be served by keeping the petitioners in custody and who are in no way in a position to influence the witnesses who are police officials. Thus, the petitioners are entitled for the grant of regular bail.

Accordingly, the petition is allowed. The petitioners be

released on bail to the satisfaction of the Illaqa Magistrate/Duty Magistrate,
Mansa.

27.08.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No