

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

CRM-M- 14925-2020 (O&M)

Date of Decision: September 01, 2020
(Heard through video conferencing)

Pippal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Munish Gulati Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 09 dated 09.02.2020, under Sections 22, 25, 29, 61 of NDPS Act, 1985, registered at Police Station Lakho Ke Behram, Distt. Ferozepur.

Learned counsel for the petitioner contends that the petitioner herein is in custody in the aforesaid FIR since 09.02.2020. It is also contended that the petitioner has been falsely implicated in the FIR and no recovery is to be effected from him while further arguing that the action initiated itself is vitiated since the investigation has been done by a person below the rank of ASI. Learned counsel prays for grant of bail on the ground of parity also as the co-accused Suraj Ram has already been allowed regular bail by this Court in CRM-M-19965-2019.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that investigation in the matter is complete and the co-accused has already been granted bail.

I have heard learned counsel for the parties.

In view of the restricted working of the Courts due to pandemic COVID-19 situation and the facts that the trial is likely to take time and the petitioner herein has been in custody since 09.02.2020 and the co-accused having already been allowed bail, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on bail on his execution of adequate personal and 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.

September 01, 2020

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No