

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-15301-2020 (O&M)

Date of decision: 01.07.2020

Harjinder Singh @ Jinder Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Simranjeet Singh, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Harjinder Singh @ Jinder Singh, stated to be aged 32 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.81 dated 03.04.2019, registered under Sections 22 & 61 of NDPS Act, at Police Station City Sadar Khanna, Ludhiana.

Learned counsel for the petitioner submits that the petitioner was arrested on 03.04.2019. Challan in this case was presented and out of 11 witnesses, only one was examined as back as on 20.12.2019. He submits that the next date of hearing in this case is 03.07.2020.

Learned State counsel submits that the petitioner is a single accused in the present case and the quantity recovered from the bag was commercial in

nature. He further submits that he was convicted in FIR No.21 dated 02.04.2006 under Sections 22 of NDPS Act and to pay a fine of Rs.5,000/-.

Faced with the situation, learned counsel for the petitioner submits that because of COVID-19 situation, trial is likely to take some more time and detention of the petitioner in jail would be dangerous to his life.

In view of the peculiar facts and circumstance as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of trial Court/Duty Magistrate concerned. In addition to the above, the petitioner shall deposit an FDR in his name (valid for two years) amounting to Rs.2,00,000/- or original papers of some immovable property worth Rs.2,00,000/- to the trial Court, to await further orders of the Court. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case. It is also made clear that if the petitioner subsequently found involved in any other case of NDPS Act, the prosecution would be free to initiate proceedings to confiscate the amount and also apply for cancellation of bail in the present case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.07.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No