

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

CRM-M-15358 of 2020 (O&M)
Decided on:- November 11, 2020.

Jagjit Singh alias Jagga.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Ashok Giri, Advocate for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.12 dated 31.01.2020 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) registered at Police Station Kotwali Patiala, District Patiala.

Learned counsel for the petitioner has submitted that there is alleged recovery of 72 strips of intoxicating tablets containing Tramadol Hydrochloride from the petitioner. Each of the strips contained 10 tablets i.e. total 720 tablets having weight of 429 grams. The total cost of each strip comes to Rs.50/-.

He has further submitted that the petitioner is a young person and is in custody since 31.01.2020. The Challan in the present case was submitted on 13.07.2020 and the charge was framed on 27.10.2020. As against total 11

witnesses cited by the prosecution, no witness has been examined in the case so far. In this manner, the trial is not likely to be concluded in near future. There is no other case against the petitioner.

Learned State counsel does not dispute the custody and the quantity of alleged contraband so recovered from the petitioner.

I have heard learned counsel for the parties.

The petitioner is in custody since 31.01.2020 and there is no other case against him. There is alleged recovery of total 720 intoxicating tablets having weight of 429 grams containing Tramadol Hydrochloride from the petitioner. As against total 11 witnesses cited by the prosecution, no witness has been examined in the case so far and in this manner, the trial is not likely to be concluded in near future in view of prevailing COVID-19 pandemic. Therefore, this Court finds that no useful purpose would be served by detaining the petitioner in further custody.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

November 11, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No