

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.15529 of 2020 (O&M)
(Heard through Video Conferencing)
Date of Decision: 14.08.2020

Ramandeep Singh

..... Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Raj Kumar Gupta, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 162 dated 17.10.2018, registered at Police Station City Kotkapura, District Faridkot under section 21 of NDPS Act, 1985.

In the instant case, the petitioner who was sitting on the rear seat of a car alongwith three other persons, was found to be in possession of contraband weighing 255 grams including polythene bag.

Learned counsel for the petitioner would contend that if polythene bag and the alleged contraband are weighed separately, the weight of the alleged contraband would come out to be less than 250 grams which would fall under the category of non-commercial quantity and even if it is considered with the polythene bag, the quantity is only marginally more than the commercial quantity. Learned counsel further contends that the petitioner herein is in custody since 24.10.2018 and is not involved in any other case under the NDPS Act.

Learned counsel has further relied upon order dated 22.10.2019 passed by this Court in CRM-M No. 15208 of 2019 wherein his co-accused Shivpreet Singh has been allowed concession of bail.

Learned counsel appearing on behalf of the State opposed the grant of regular bail by arguing that no ground is made out for concession of regular bail.

Since the investigation is complete and the challan has already been presented and the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength, therefore, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ 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.

14th August, 2020

Sonia Puri

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No