

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.15853 of 2020 (O&M)
(Heard through Video Conferencing)
Date of Decision: 14.08.2020

Malwinder Singh @ Raman

..... Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. H.S. Brar, 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. 20 dated 19.02.2020, registered under sections 22 and 29 of the NDPS Act, 1985 at Police Station Jaitu, District Faridkot.

Counsel for the petitioner herein would contend that the petitioner was taken into custody in the said FIR on 15.03.2020 while contending that he has been falsely implicated. It is submitted that he has not been nominated in the said FIR but on the basis of disclosure statement made by the main accused Gurcharan Singh @ Charni while in custody he was subsequently nominated. It is contended that the co-accused have already been allowed regular bail by this Court in CRM-M No. 16325 of 2020 and CRM-M No. 16778 of 2020 while further submitting that the investigation is complete and the challan has been presented.

Per contra, learned counsel appearing on behalf of respondent-State opposed the grant of regular bail to the petitioner, however, could not dispute the fact that the co-accused have already been granted regular bail by this Court and that the challan has already been presented.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 15.03.2020; 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