

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.15947 of 2020

Date of Decision: July 07, 2020

Charanjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohit Sadana, Advocate,
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.200 dated 12.10.2019, under Sections 22/29/61/85 NDPS Act, registered at Police Station, Dirba, District Sangrur. The petitioner is in custody since his arrest on 12.10.2019.

According to the prosecution, on 12.10.2019, 1500 intoxicant tablets in 150 strips having 10 tablets each of Alprsafe 0.5 containing psychotropic substance, i.e., Alprazolam were recovered from the possession of the petitioner and his co-accused Lakhwinder Singh and 1200 tablets in 120 strips having 10 tablets each as Alprsafe 0.5 were recovered from the possession of co-accused Gurdhian Singh.

Learned counsel for the petitioner contends that the alleged contraband was tied with the motor cycle, which was being driven by his co-accused, namely, Lakhwinder Singh, According to him, the vehicle in

question also belongs to the father of the said co-accused and petitioner has been indicted as an accused only on the ground that he was a pillion rider with the co-accused. He submits that the investigation of the case is complete as the final report stands filed on 03.04.2020. He contends that the trial is likely to consume considerable time to conclude, therefore, further custody of the petitioner may not be necessary and prays for grant of regular bail.

On the other hand, Mr.Randhir Singh Thind, learned Deputy Advocate General, Punjab, who is assisted by SI Satgur Singh, has opposed the prayer on the ground that the commercial quantity of 1500 tablets Alprazolam was recovered from the accused persons, who were travelling together on the motor cycle. He submits that according to the prosecution, the tablets were contained in a polythene bag which was tied with the motor cycle and the tablets were visible from the polythene. It is not disputed that the investigation of the case is complete. However, the prosecution has not examined any witness so far.

After hearing the learned counsel for the parties and the custody of the petitioner, this Court does not find any reason to decline the prayer as the trial is likely to consume considerable time in the wake of outbreak of global pandemic, namely, COVID-19 in the region as certain restrictions have been imposed by State Government and District Administration in order to curb its spread. The petitioner, after his arrest on 12.10.2019, is presently confined in judicial custody, therefore, further detention behind the bars may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his

furnishing requisite bail bonds/surety bonds to the satisfaction of the trial
Court/Duty Magistrate, Sangrur.

The petition is allowed.

July 07, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No