

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

208

CRM-M-16561-2020

Date of decision: 01.09.2020

Jagsir Singh**.....Petitioner****versus****State of Punjab****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Sumeet Puri, Advocate for the petitioner.

Mr. P.S. Walia, Asstt. A.G., Punjab.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Jagsir Singh, stated to be aged 37 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.101 dated 15.05.2020, under Sections 15/18 of Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station Dirba, District Sangrur.

Vide order dated 13.07.2020, the petitioner was granted interim bail and directed to join investigation.

Learned State counsel, on instructions from ASI Jaswinder Singh, submits that initially 2 kg of opium was recovered from the petitioner, whereas, it is slightly less than the commercial quantity. He then submits that during interrogation, on the petitioner's disclosure statement, another 57 kg of poppy husk (which is commercial in nature being above 50 kg) was recovered from the house of the petitioner. It is otherwise submitted that the petitioner has

joined investigation and his custodial interrogation is no more required.

Faced with the situation, learned counsel for the petitioner submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life.

In view of the peculiar facts 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 release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the bail/surety bonds earlier furnished/above said surety, the petitioner shall deposit an FDR of Rs.3 lacs (in his own name) with an undertaking that he will not encash the said FDR, till further orders of the Court. This undertaking be also sent to the concerned Bank. It is also made clear that in case, the petitioner is subsequently found involved and guilty in any other subsequent case, the said amount mentioned in the FDR, shall stand forfeited and deposited in the Government Treasury. The above said amount shall be without prejudice to defence of the petitioner before the trial Court.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.09.2020/*jjyoti3*

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