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

**CRM-M-16596-2020
Date of Decision: 07.07.2020**

Mohammad Mohsen and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Udit Mendiratta, Advocate,
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a second petition for regular bail under Section 439 Cr.P.C. on behalf of the petitioners in case FIR No.37 dated 10.06.2018, under Section 22 of the N.D.P.S. Act, registered at Police Station Naya Gaon, District SAS Nagar, Mohali.

[2]. The petitioners' previous petition being CRM-M-39017-2019 was dismissed by this Court on 14.02.2020 as till that time 1 out of the 9 prosecution witnesses had been examined and the matter was fixed before the Trial Court for further evidence on 18th February, 2020. This Court thereafter while rejecting the petitioners' previous petition for bail directed the Ld. Trial Court to endeavour to complete the trial preferably within a period of 4 months. It, however, transpires that subsequently only one more witness from the prosecution side could be examined and trial has since become held up as the Courts are not functioning in the normal manner on account of the prevailing Covid-19 Pandemic. There is a little chance of

expeditious completion of trial in the given facts and circumstances. In the meantime, the petitioners have already undergone imprisonment for more than 11 months till now.

[3]. There is no record of their involvement in any other case under the N.D.P.S. Act. As such, further detention of the petitioners for an indefinite period is not justified.

[4]. In such circumstances and considering the long detention undergone by the petitioners, their prayer for regular bail is allowed subject to the condition that the Ld. Trial Court/Duty Magistrate, concerned shall impose appropriate stringent conditions to ensure that the petitioners are not able to abscond considering that they are resident of a different State beyond the jurisdiction of this Court.

[5]. Disposed off.

07.07.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No