

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-16708-2020 (O&M)

Date of decision: 22.07.2020

Thakur Singh

.....Petitioner

versus

Union of India through Narcotics Control Bureau, Chandigarh Zonal
Unit Sector-25, Chandigarh.

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. ADS Sukhija, Advocate for the petitioner.

Mr. Sanjay Vashisth, Advocate for the UOI-respondent.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

CRM-16846-2020

In compliance of order dated 14.07.2020, present application has been filed by the applicant/respondent *inter alia* praying for placing on record the reply in the shape of affidavit dated 11.07.2020 alongwith Annexures R-1 to R-4.

For the reasons mentioned in the application, the same is allowed and reply along with Annexures R-1 to R-4 are taken on record.

CRM-M-16708-2020

Petitioner-Thakur Singh who is stated to be aged 31 years, has filed the present petition *inter alia* praying for grant of regular bail in complaint case bearing Crime No.35/2019 dated 26.07.2019 under Sections 8, 18, 29 & 62 of Narcotic Drugs and Psychotropic Substances Act, 1985,

(for short 'the Act') registered at Police Station NCB, Chandigarh.

Learned counsel for the petitioner by making reference to complaint submits that it has been alleged that another co-accused, namely, Laeeq Ahmed, disclosed that opium was concealed in the bag brought by him which he had handed over to Thakur Singh (present petitioner). Learned counsel however submits that said Laeeq Ahmed has already been granted regular bail vide order dated 22.10.2019 (Annexure P-1) attached with the present petition.

Learned counsel for the respondent by making reference to reply submits that statement under Section 67 of the Act was also given by the petitioner in the present case i.e. CR No.35 of 2019 dated 26.07.2019. It is further submits that the petitioner is also involved in another case i.e. CR No. 24 dated 14.05.2019.

Faced with the situation, learned counsel submits that in fact the alleged recovery is of 500 gm. of opium which is non commercial in nature. He further submits that the challan in this case has been presented but charges are yet to be framed. The next date fixed before the Trial Court is 28.08.2020. Learned counsel then submits that there are total of 15 witnesses, but none has been examined till date.

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. Therefore, petitioner is entitled for regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take

some time, this Court deems it appropriate to direct the release of 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.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

22.07.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No