

204 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-16652-2020 (O&M)

Date of Decision: 08.10.2020

Harpreet Singh @ Happy

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. G. S. Sandhu, Advocate, for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

CRM-18202-2020

Learned Counsel for the petitioner submits that since the main case is also fixed for today alongwith the connected case i.e., CRM-M-18097-2019, he is not inclined to pursue this application, which has otherwise rendered infructuous. The same be, therefore, treated as dismissed as withdrawn.

Ordered accordingly.

Main Case

This is a petition for regular bail under Section 439 Cr.P.C. on behalf of the petitioner, in case FIR No.159 dated 25.09.2018, under Section 22 of NDPS Act, registered at Police Station City I Abohar, District Fazilka.

[2]. Admittedly, the contraband alleged to have been recovered from the petitioner and co-accused Sahib Singh, happens to be in excess of the commercial quantity. But Ld. Counsel for the petitioner relies upon the decisions of the Coordinate Benches of this Court in cases bearing CRM-

M-13685-2020 titled as “**Sher Singh Versus State of Punjab**”, passed on

15.06.2020, CRM-M-2831-2019 titled as “**Sunil Bhati @ Sunil Kumar Bhati Versus State of Punjab**”, passed on 13.01.2020, CRM-M-13732-2020 titled as “**Ricky Versus Union Territory, Chandigarh**”, passed on 16.06.2020 and CRM-M-46998-2019 titled as “**Harwinder Singh Versus State of Punjab**”, Passed on 10.02.2020, and by this Court in CRM-M-13257-2020 titled as “**Shivam Kumar Versus State of Punjab**”, passed on 06.07.2020, in which cases, the petitioners from whom contraband drugs exceeding the commercial quantity had been recovered, were nevertheless released on bail, in view of the fact that they were not reported to be involved in any other case under the NDPS Act, and also that on account of the existing COVID-19 Pandemic, routine trial of the cases would take a longer time.

[3]. In the present case, the petitioner was arrested more than 02 years ago, on 25.09.2018. The trial was commenced, which has become stubbed midway due to COVID-19 Pandemic. There is no record of the petitioner being involved in any other case under the NDPS Act.

[4]. As such, without commenting any further on the merits of the present case as a whole, the prayer of the petitioner for his release on regular bail is allowed and he is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty/Area Magistrate, concerned.

[5]. Disposed off.

08.10.2020

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**(SUDIP AHLUWALIA)
JUDGE**

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

