

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17794-2020 (O&M)
Date of decision: 10.07.2020

Surinder Singh @ Shindu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Satinder Kaur, Advocate and
Ms. Suman Kumari, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 3rd petition for grant of regular bail in FIR No.107 dated 08.08.2018 under Sections 21 & 25 of NDPS Act, registered at Police Station Sudhar, District Ludhiana. First petition was disposed of vide order dated 21.11.2018 and second petition for regular bail was dismissed as withdrawn on 20.01.2020 and a direction was issued to the trial Court to conclude the trial expeditiously preferably within a period of four months.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police party recovered 52 kg of poppy husk from two persons. Thereafter, due to COVID-19, trial is not moving and the case is still at the same stage, when the second petition was disposed of by issuing a direction to the trial Court. It is further submitted that as on today, the petitioner has

undergone more than 01 year and 08 months and it will take some more time in conclusion of the trial.

Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner is involved in one more FIR under the NDPS Act for recovery of 05 grams of opium, however, he is on bail. Learned State counsel could not dispute that it will take some time in conclusion of the prosecution evidence, as four witnesses have been examined so far.

Without commenting anything on merits of the case, considering the fact that despite a direction given by this Court, the trial could not be concluded on account of COVID-19 situation in the country and also in view of the fact that the petitioner is in custody for the last more than 01 year and 08 months, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

10.07.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No