

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

**CRM-M No.17334 of 2019
Date of Decision:27.08.2020**

JASWINDER SINGH @ JASSA ...Petitioner

Versus

STATE OF PUNJAB ..Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ashish Pal Kaushal, Advocate
for the petitioner.

Mr. P.S.Walia, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.2 dated 05.01.2019, registered under Sections 21, 25, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; he is in custody since 05.01.2019; there is no other criminal case in which he is involved; son of the petitioner is suffering from diabetes and there is no other male member in the family to look after his son; for over 4 months no witness has been examined by the prosecution and that the trial is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that 300 grams of heroin has been recovered from his possession.

After considering the totality of the facts as noted above especially when the period of custody of the petitioner is over 1 year and 8 months; the petitioner is not involved in any other criminal case; his son is suffering for diabetes and the trial is likely to take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Bathinda, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

August 27, 2020

Jyoti-IV

**(DEEPAK SIBAL)
JUDGE**

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