

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.116

CRM-M-17776-2020
Date of decision : 8.7.2020

Ranjit Singh @ Jeeta

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Amit Dhawan, Advocate, for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.187 dated 26.6.2017, registered at Police Station Nakodar Sadar, District Jalandhar, under Section 15 of NDPS Act, 1985.

The aforementioned FIR was registered on account of alleged recovery of 56 Kgs. of poppy husk from the petitioner and his co-accused.

Learned counsel for the petitioner submits that the petitioner has been in custody for over three years. The trial is not likely to be concluded at an early date as four more PWs remain to be examined and keeping in view the continuing Covid-19 pandemic, the remaining witnesses are not likely to be examined in the near future. There is no pending/decided case under the NDPS Act, 1985 against the petitioner and thus, he may be released on regular bail.

Custody certificate dated 7.7.2020, has been placed on record. According to this certificate, the petitioner has undergone actual custody of three years and eight days. There is no other case under the NDPS Act, 1985 pending/decided against the petitioner.

Learned State counsel admits that four more PWs remain to be examined. However, he opposes the prayer for bail on the ground that commercial quantity of contraband was recovered from the petitioner.

It may be that commercial quantity of contraband was recovered from the petitioner, however, the Court cannot loose sight of the fact that a period of more than three years has elapsed since the arrest of the petitioner and the trial is still not likely to be concluded at an early date on account of Covid-19 pandemic. There is no other case under the NDPS Act, 1985 pending/decided against the petitioner and thus, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

8.7.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No