

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

218

**CRM-M-18312 of 2020
Date of Decision: 14.08.2020**

Sukhwinder Singh @ Binder

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. R.S. Sidhu, Advocate
for the petitioner.

Mr. S.S. Deol, DAG, Punjab.

SUDIP AHLUWALIA, J (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.84 dated 29.08.2019, registered under Sections 21/29/61/85 of NDPS Act, at Police Station STF Phase-4, District SAS Nagar, Mohali.

2. Learned counsel for the petitioner submits that contraband in the form of 500 grams of heroin was recovered from the polythene bag in a car being driven by the petitioner. The car in question belongs to co-accused Ghanso who is stated to be already in custody along with another lady who was present in the car at the relevant time.

3. Learned counsel for the petitioner further submits that after completion of investigation, challan has already been submitted, on account of which, his custody for the purpose of investigation is no longer required. The petitioner is stated to be in judicial custody since 29.08.2019. There is no record of his involvement in any case under the NDPS Act.

4. Learned State counsel submits that evidence from the prosecution side, when as many as 32 witnesses have been cited in the challan, is yet to commence and is likely to take a substantial time to conclude on account of ongoing Covid 19 Pandemic.

5. In the circumstances and without commenting upon the other merits of the case, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not justified. As such, he is ordered to be released on regular bail subject to his furnishing Personal and Surety Bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

6. Disposed off.

(SUDIP AHLUWALIA)
JUDGE

14.08.2020

D.Bansal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No