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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.18476 of 2020 (O&M)

Date of decision: 21.12.2020

Amninder Singh @ Billa

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Dhruv Dayal, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this 2nd petition is for grant of regular bail to the petitioner in FIR No.41 dated 19.08.2018 registered under Sections 21/29 of the NDPS Act and 14 of the Foreigners Act, 1946, at Police Station Special Task Force, Phase-4, Mohali, District S.A.S. Nagar, Mohali.

The earlier was dismissed as withdrawn on 17.12.2019.

Counsel for the petitioner has submitted that the petitioner is in custody since 24.08.2018 i.e. more than 02 years and 04 months. It is further submitted that the prosecution evidence was concluded on 26.02.2020 and thereafter, the case was fixed for defence evidence, however later on due to COVID-19, the same could not be concluded. It is also submitted that since all the prosecution witnesses have already been examined, there is no possibility for the petitioner to tamper with the prosecution evidence and if the petitioner is granted bail, he may

CASE HEARD THROUGH VIDEO CONFERENCING

effectively lead his defence evidence.

Counsel for the State, on instructions from ASI Baljeet, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the long custody of the petitioner; all the prosecution witnesses have already been examined; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

21.12.2020

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No