

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

**CRM-M No.19148 of 2020
Date of Decision : 24.11.2020**

Jagtar Singh @ Jaggu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Manpreet Singh, Advocate
for the Petitioner.

Mr. B.S. Sewak, Addl. Advocate General, Punjab
for the Respondent/State.

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.134, dated 6th August, 2019, registered under Sections 21, 25, 29 of the NDPS Act, at Police Station Gharinda, District Amritsar.

2. Additional Affidavit of the Senior Superintendent of Police, Amritsar (Rural) in compliance of the previous order has been sent up on behalf of the State, through E-mail, today; Be kept on record.

3. In Para No.5 of the same, it has been mentioned that from the CCTV Footage provided, it is not possible to identify any person or Police Personnel as depicted therein, nor even the area which is covered in the concerned Video Recording.

4. Be that as it may, it transpires that the Petitioner has by now remained in detention for more than 1 year and 3 months since 11th August, 2019.

5. The Petitioner is also reported to be involved in another case registered under Section 21 of the NDPS Act bearing FIR No.60 dated 12th

March, 2018 relating to Police Station Sadar Khanna, but he is already on Bail in the said case as seen from the Custody Certificate.

6. Besides, the Petitioner was implicated in FIR No.109 dated 9th July, 2017 registered under Sections 302, 307, 452, 148, 149 of the IPC and Section 25/27 of the Arms Act, at Police Station Lopoke Amritsar, but has already been acquitted in the said case.

7. After completion of investigation, Challan against him has already been submitted long ago but the trial is yet to commence and even the Charges are yet to be framed.

8. In such circumstances, apart from the controversy surrounding the alleged illegal arrest of the Petitioner, which is sought to be depicted in the disputed CCTV Footage, and which would require a long time to verify, considering the detention already undergone by the Petitioner, and keeping in view the fact that the trial is likely to take a considerable time to conclude in view of the on-going Covid-19 Pandemic, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not called for. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

9. Disposed off.

November 24, 2020

Dpr

(SUDIP AHLUWALIA)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No