

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

CRM-M-19399 of 2020 (O&M)

Date of Decision: 27.10.2020

Sehjad @ Mohammad Sehjad

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Parvinder Singh, Advocate for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

HARINDER SINGH SIDHU, J

Prayer is for grant of regular bail in case FIR No.68 dated 25.05.2020 under Sections 22/25/29/61/85 of NDPS Act registered at P.S Sadar Jagraon, District Ludhiana.

As per allegations in the FIR, a Pulser motorcycle bearing registration No.PB10-FU-5478 was intercepted and two persons, who were riding the same were apprehended. Driver of the motorcycle disclosed his name as Hardeep Singh while Sukhwinder Singh was a pillion rider. Upon being searched, Sukhwinder Singh was found to be carrying 13 boxes of Tramadol Hydrochloride 100 mg Clovidol-SR tablets, thus, total 6450 tablets were recovered. During interrogation, on 27.05.2020, Sukhwinder Singh disclosed that the intoxicant tablets pertain to one person called 'doctor'. Then, on 28.05.2020, Mohammad Asraf @ doctor was arrested after being identified by Sukhwinder Singh. Eighteen boxes of Tramadol Hydrochloride 100 mg Clovidol-100 SR tablets containing 9000 tablets were recovered on his disclosure statement. In his confessional statement, Mohammad Asraf @ doctor disclosed that the contraband was procured from the petitioner.

Learned counsel for the petitioner contends that the petitioner is running a Chemist Shop and that he has no concern or connection with the alleged crime. No recovery was ever effected from the petitioner and that he is sought to be implicated only on the basis of disclosure statement suffered by Mohammad Asraf @ doctor. There is no evidence to connect the petitioner with either co-accused Sukhwinder Singh or Mohammad Asraf @ doctor. The petitioner is in custody since 27.05.2020 and that no other case is pending against him and that the trial is not making any headway due to covid-19.

Opposing the bail application, learned State counsel has submitted that the investigation is complete and challan has been presented.

Considering the facts of the case in hand and without commenting anything on the merits of the case and also bearing in mind the fact that the trial in the case is likely to take considerable time to conclude in view of the outbreak of global pandemic, namely, COVID-19, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Sehjad @ Mohammad Sehjad is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

October 27, 2020
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No