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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.19728 of 2020 (O&M)
Decided on: 02.12.2020

Bablu Mehra @ Vicky

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.60 dated 15.03.2020, for offence punishable under Section 22 of the NDPS Act, registered at Police Station Division No.8, District Police Commissinerate, Jalandhar.

Counsel for the petitioner has argued that as per the allegations in the FIR, 36 strips of Spasmo Proxyvon Plus Capsules i.e. total 864 capsules were recovered from the petitioner. It is further submitted that the petitioner is the first offender; he is in custody since 15.03.2020 and till date, charges have not been framed due to COVID-19 situation and it will take long time in conclusion of the trial.

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

Counsel for the State has also filed the Custody Certificate

CASE HEARD THROUGH VIDEO CONFERENCING

today in the Court and as per the Custody Certificate, the petitioner is in custody for the last 08 months and 14 days and he is not involved in any other case. It is further submitted that as per the affidavit of the Assistant Commissioner of Police (North), District Jalandhar, the case is now fixed for framing of the charge.

Without commenting anything on merits of the case, considering the fact that charges have not yet been framed; the petitioner is not involved in any other case; 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 interim bail till 30.04.2021, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq 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

02.12.2020

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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No