

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

**CRM-M No.20718 of 2020
Date of Decision : 12.11.2020**

Sahib Singh alias Saba

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Ashish Aggarwal, 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.4, dated 07.01.2020, registered under Section 22 of the NDPS Act, 1985, at Police Station Valtaha, District Tarn Taran.

2. The Petitioner was arrested on 7th January, 2020.
3. Five Boxes containing 2500 Tramadol Tablets (Clovidol-100 SR) were allegedly recovered from the Petitioner.
4. Ld. State Counsel on instruction from ASI Satnam Singh submits that Challan against the Petitioner has already been presented after completion of investigation and the matter is now fixed in the Ld. Trial Court for consideration of charges. As such, the trial is yet to commence.
5. Reliance has been placed upon the decisions of various Co-ordinate Benches of this Court in similar cases i.e. '**CRM-M No.714 of 2020-Baljeet Singh vs. State of Punjab**', '**CRM-M No.8725-2020-Deepak**

Saini vs. State of Haryana', 'CRM-M No.7437 of 2019-Kashmir Singh vs. State of Punjab' and **'CRM-M No.20080 of 2019-Thana Singh vs. State of Punjab'**, in which considering the custody period already undergone by the accused persons who were admittedly not involved in any other case under the NDPS Act, and there was no likelihood of an expeditious trial on account of the on-going Covid-19 Pandemic, the concerned accused persons were released on Bail.

6. The case of the present Petitioner is also similar to that of the aforementioned accused persons as the trial is yet to commence and there is no record of his involvement in any other case under the NDPS Act, on account of which, this Court is of the opinion that he is not likely to commit a similar offence, if released on bail, at this stage.

7. In the circumstances, without commenting upon the other merits of the case 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 justified. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

8. Disposed off.

November 12, 2020
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No