

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

**CRM-M-22305-2020 (O&M)
Date of Decision : 13.08.2020**

Baljinder Singh @ Bindy Petitioner
Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Raj Kumar Gupta, Advocate
for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing due to the outbreak of Pandemic COVID-19.

Custody certificate of the petitioner has been filed. Same is taken on record. Be tagged at appropriate place.

Through this second petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.48 dated 25.05.2019, registered under Sections 15 and 25 of the Narcotic Drugs & Psychotropic Substances Act, at Police Station Sudhar, Ludhiana.

Petitioner is facing trial in the aforesaid FIR on the allegations that on 25.05.2019, he was apprehended with conscious possession of 90 kg poppy husk, without any permit or licence.

Learned counsel *inter alia* contends that petitioner is in custody since 26.02.2019. There is no other case against him.

Earlier petition for grant of regular bail to him was dismissed as withdrawn on 26.02.2020. Since then, no prosecution witness has been examined. Wife of the petitioner is to be operated for fibroid uterus. There is no one to get her operation conducted and look after her. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner Baljinder Singh @ Bindy is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

13.08.2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No