

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

Crl. Misc. M-21995 of 2020 (O & M)

Date of decision: 26.10.2020

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Amrit Singh

....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Munish Raj Chaudhary, Advocate,
for the petitioner.

Mr. Harshdeep Singh Rana, DAG, Punjab.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

Crl. Misc. No. 18927 of 2020

Application for exemption from filing signed power of attorney of the petitioner in original and affixing the process fee is allowed, subject to the same being filed the moment the instructions are modified as such and physical presence is allowed. It is made clear that in case the needful is not done, the order shall be liable to be recalled at the detriment of the parties.

Crl. Misc. M-21995 of 2020

The petitioner seeks regular bail in a petition filed under Section 439 Cr.P.C. in FIR No. 43 dated 19.03.2020 under Sections 22/29 of the NDPS Act, 1985, P.S. Talewal, District Barnala.

Counsel for the petitioner has submitted that as per the allegations in the FIR, the petitioner was arrested on the basis of secret

information that he was running the business of selling intoxicants in the village and surrounding areas. It is his case that investigation is complete and recovery having been effected, no useful purpose would be served by keeping the petitioner in custody as charge is yet to be framed and trial is likely to take considerable time.

Counsel for the State, on the other hand, has opposed the bail application on the ground that recovery is of 1000 Clovidol-100 SR intoxicant tablets and the average weight of per tablet is 410.24 mg and, therefore, the recovery is commercial in nature. It is, however, not disputed that there is no other case of similar nature against the petitioner, who is now in custody for the last 7 months and 2 days, as per the custody certificate dated 24.10.2020.

Keeping in view the fact that the trial is likely to take considerable time specially keeping in view the Covid-19 pandemic and the antecedents of the petitioner that he is not involved in any other similar case, he is entitled for the benefit of bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on bail to the satisfaction of Duty Magistrate/Illaqa Magistrate, Barnala.

26.10.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No