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

**CRM-M No.22290 of 2020(O&M)
Date of Decision: 14.08.2020**

Sardool Singh alias Dula

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Sukhbir Singh, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in his second attempt in case bearing FIR No.103 dated 09.05.2017 registered under Sections 22, 25 of the NDPS Act at Police Station Sidhwan Bet, District Ludhiana.

Earlier CRM-M No.20015 of 2019 was dismissed as withdrawn vide order dated 28.02.2019. The said order reads as under:-

“During hearing of the case, it transpires that only one prosecution witness remains to be examined. Next date is 07.03.2020. Faced with the situation, learned counsel for the petitioner wishes to withdraw the present petition with the liberty to file the petition again, in case trial is unnecessarily delayed.

Dismissed as withdrawn with liberty aforesaid.”

Learned counsel for the petitioner submits that after recording statement of the petitioner under Section 313 Cr.P.C, there is no progress in the trial of the case. Petitioner is lodged in Central Jail, Ludhiana, where many under-trials have been tested positive for Covid-19. Learned counsel has also referred to the order dated 03.07.2020 passed by this Court in **CRM-M No.15227 of 2020** titled **Sarvesh Singh @ Sethi Vs. State of Punjab** and **CRM No.10982 of 2020** in **CRM-M No.50270 of 2019** titled **Taranjit Singh @ Sonu Vs. State of Punjab** decided on 22.05.2020, wherein interim bail was granted to the accused in view of Covid-19 situation prevalent in Central Jail, Ludhiana.

Learned State counsel on instructions admits the aforesaid factual position that there is no progress in the trial due to the situation arising out of pandemic Covid-19. In Central Jail, Ludhiana, some persons have been found affected with Covid-19 and the orders were passed in the context of taking precautionary measures by the Presiding Officers and staff

members/police officials to go for home quarantine for 14 days. The intimation has also been sent to the Superintendent, Central Jail, Ludhiana in view of orders dated 19.06.2020 passed by the District and Sessions Judge, Ludhiana in respect of accused Bikram @ Vicky and Surinder Kumar @ Mehendi who were tested positive for Covid-19.

Taking into consideration the totality of facts and circumstances of the case and without meaning anything on merits of the case, it would be just and appropriate to grant interim bail to the petitioner for a period of eight weeks, subject to his furnishing heavy bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Petitioner is directed to surrender after eight weeks from the date of his release.

Disposed of.

14.08.2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No