

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

**CRM-M NO. 22266 OF 2020
DATE OF DECISION : 29.09.2020**

JAGSEER SINGH **...PETITIONER**
VERSUS
STATE OF PUNJAB **...RESPONDENT**

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. K. S. Brar, Advocate,
for the petitioner.

Mr. P. S. Walia, AAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

This is a petition for grant of regular bail to the petitioner in case FIRNo.401 dated 30.12.2019 under Sections 15 and 25 of NDPS Act, registered at Police Station Talwandi Sabo, District Bathinda.

2. Per FIR, petitioner was apprehended by the police party and 52 kgs of poppy husk was recovered from his possession.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the case as nothing was recovered from him. He was picked up from his house and later on false case has been planted upon him. He further submits that investigation in the case is already over and challan has been presented. The petitioner is in custody since 30.12.2019. There is no headway in the trial due to Covid-19 pandemic.

4. Learned State counsel opposes the bail plea on the ground that the quantity of contraband recovered from the petitioner is commercial in nature. However, he does not controverts that challan has been presented in the case.

5. Having heard learned counsel for the petitioner, as well as learned State counsel, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars since investigation is over. Challan has already been presented. The petitioner is stated to be in custody since 30.12.2019. The trial is not likely to commence or conclude any time soon on account of current pandemic conditions.

6. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaqa Magistrate/ Duty Magistrate.

7. However, in case the petitioner is found to be involved in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail.

SEPTEMBER 29th, 2020
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned : **Yes/No**

Whether reportable : **Yes/No**