

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

CRM-M-22958-2020 (O&M)

Date of Decision: 20.08.2020

Ramneek Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rajbir Singh, Advocate for the petitioner.

Mr. S.S. Deol, DAG, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.159, dated 09.09.2018, under Section 22 of the NDPS Act, registered at Police Station City Malout, District Sri Muktsar Sahib.

Counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 1100 ml intoxicating liquid was effected from the petitioner and which as per report of the Chemical Examiner contains Codeine Phosphate.

Counsel has adverted to an order dated 10.07.2014 passed by this Court in **CRM-M-14039-2014 (Manpreet Singh Vs. State of Punjab)**, wherein it was observed that 1200 ml would be equivalent to 1092 grams.

As per schedule of the NDPS Act, 1000 grams and above of such intoxicating liquid containing Codeine Phosphate would be construed as commercial quantity.

The alleged recovery from the present petitioner is marginally over and above the non-commercial quantity.

Petitioner has been in custody since 09.09.2018. He was however granted interim bail on 06.11.2018 to await the report of the Chemical Examiner. Thereafter, he was arrested again on 17.01.2020.

Petitioner has not misused the concession of interim bail granted to him.

There is no other case against the petitioner under the NDPS Act.

Trial is at the very initial stage and is not making any headway on account of the current Covid-19 situation.

In an overview of the matter and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

20.08.2020

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |