

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.23768 of 2020 (O&M)
Date of Decision.09.12.2020
(Heard through VC)

Gurmail Singh		...Petitioner
	Vs	
State of Punjab		...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

Ms. Rashmi Attri, DAG, Punjab.

-:-

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.02 dated 01.01.2020 registered under Section 22 of NDPS Act at Police Station Barnala, District Barnala.

Learned counsel for the petitioner *inter alia* would contend that the petitioner is alleged to have been apprehended with 250 strips of CLOVIDOL-100 SR containing 10 tablets in each strip, 2500 in total. It is also argued that the petitioner is in custody since 01.01.2020 and though the challan has been presented, no prosecution witness has been examined. The trial is likely to take some time to conclude and therefore, prays for concession of bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State would submit that the trial is likely to commence and the petitioner has been apprehended on earlier occasion also with contraband and therefore, being a habitual offender should not be entitled to grant of regular bail.

I have heard learned counsel for the parties and have perused

the custody certificate.

Keeping in view the fact that the petitioner is in custody since 01.01.2020 and the challan has been presented coupled with the fact that the trial is likely to take some time to conclude owing to *novel corona virus* situation, no useful purpose would be served by keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is disposed of and the petitioner is directed to be released on interim bail on execution of adequate personal/surety bond of Rs.50,000/- to the satisfaction of concerned trial Court/Duty Magistrate. The petitioner shall submit an undertaking before the trial court/Duty Magistrate along with his bail/surety bond that he will surrender before the trial court as and when directed to do so by the trial Court. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

(JAISHREE THAKUR)
JUDGE

December 09, 2020
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No