

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

CRM-M No.23906 of 2020 (O&M)
Date of Decision.24.08.2020
(Heard through VC)

Amrik Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amit Arora, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

..-

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.17 dated 17.03.2016 registered under Section 22 of NDPS Act, 1985 at Police Station Sirhali, District Tarn Taran.

Counsel for the petitioner herein *inter alia* would contend that the recovery made from the petitioner is 51.6 grams of Diphenoxylate salt, which is marginally above the commercial quantity. He further relies upon the order passed by a Coordinate Bench of this Court in CRM-M No.20189 of 2020 titled as '*Amandeep Singh @ Amma Vs. State of Punjab*' whereby in an identical situation, the Coordinate Bench granted bail to the petitioner therein and therefore, seeks concession of bail on the same ground.

Learned counsel appearing for the respondent-State opposes the regular bail while submitting that no ground is made out for concession of bail.

I have heard learned counsel for the parties.

Keeping in view the fact that the recovery made is marginally

higher than the commercial quantity and in the similar circumstances, a Coordinate Bench of this Court has already granted concession of bail vide order referred to supra, coupled with the fact that the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength and not taking up regular hearing matters, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

August 24, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No