

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

CRM-M No.24105 of 2020 (O&M)
Date of Decision.28.08.2020
(Heard through VC)

Amritpal Singh @ Pala

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ahok Giri, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

-.-

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.281 dated 21.10.2019 registered under Section 15 of NDPS Act at Police Station Dera Bassi, District SAS Nagar, Mohali.

Counsel for the petitioner herein *inter alia* would contend that the petitioner is in custody since 21.10.2019 and the challan already stands presented. It is further contended that three persons are nominated as accused in the said FIR from whom 99 kgs of poppy husk has been recovered, which would amount to 33 kgs each, which even if true, would amount to under commercial quantity per person. The co-accused has already been granted regular bail by this Hon'ble Court vide order dated 10.08.2020 passed in CRM-M No.20144 of 2020. The trial is likely to take some time to conclude and therefore, seeks concession of bail.

Learned counsel appearing for the respondent-State opposes the aforesaid contention of learned counsel for the petitioner by submitting that the total recovery of 99 kgs, be it from three persons, is well beyond the

commercial quantity and therefore, the petitioner herein is not entitled for bail.

I have heard learned counsel for the parties.

Keeping in view the fact that the challan has already been presented and the co-accused has already been granted regular bail by this Court 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 28, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No