

In virtual Court

CRM-M-24220-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24220-2020 (O&M)
Date of decision: 27.08.2020

Jaspal Singh @ Jassu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of regular bail in FIR No.45 dated 30.06.2019 under Section 20 of NDPS Act, registered at Police Station Ghagga, District Patiala; earlier one was dismissed as withdrawn vide order dated 20.01.2020.

Learned counsel for the petitioner submits that new ground for grant of bail is that the petitioner has undergone 11 months of judicial custody and due to COVID-19 situation, the trial is not proceeding further, though charges were framed on 17.12.2019 and no PW has been examined so far. It is further submitted that the petitioner is not involved in any other case and he was not arrested at the spot and was nominated on the basis of disclosure statement of co-accused Jasvir Singh, who was apprehended at the spot and recovery of

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21 kgs of ganja was effected from him.

Learned State counsel has filed the custody certificate dated 27.08.2020 in the Court today and has not disputed the custody period and the fact that the petitioner is not involved in any other case. It is submitted that at the time of arrest of co-accused Jasvir Singh, the petitioner was nominated by him as the person, who absconded from the spot. It is also not disputed that till date, no prosecution witness is examined.

After hearing learned counsel for the parties and without commenting anything on merits of the case, this petition is partly allowed and the petitioner is directed to be released on interim bail till 15.12.2020 subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

It will be open for the trial Court either to grant extension of interim bail assessing the circumstances and evidence or dismiss the bail, in accordance with law.

[ARVIND SINGH SANGWAN]
JUDGE

27.08.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No