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

CRM-M-24632-2020

Date of Decision: 08.10.2020

Gurdeep Singh @ Billa

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Neeraj Jain, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.145 dated 20.12.2018, under Sections 22/61 of the NDPS Act, registered at Police Station Arniwala, District Fazilka.

[2]. As per the Custody Certificate dated 03.09.2020 of the petitioner, which is already on record, he has remained in detention for more than one year and eight months, since 22.12.2018. There is no record of his involvement in any other case under the N.D.P.S. Act.

[3]. Ld. Counsel for the petitioner relies upon the decisions of the Co-ordinate Bench of this Court, in cases bearing **CRM-M-13685-2020** titled as **“Sher Singh Vs. State of Punjab”**, dated **15.06.2020**;

CRM-M-2831-2019 titled as “**Sunil Bhati @ Sunil Kumar Bhati Vs. State of Punjab**”, dated **13.01.2020**; **CRM-M-13732-2020** titled as “**Ricky Vs. Union of Territory, Chandigarh**”, dated **16.06.2020** and **CRM-M-46998-2019** titled as “**Harwinder Singh Vs. State of Punjab**”, dated **10.02.2020**, in which the petitioners, from whom contraband of commercial quantity had been recovered, were nevertheless released on bail, in view of the fact that they were not reported to be involved in any other case under the NDPS Act, and also that on account of existing Covid-19 pandemic, routine trial of the cases would take a long time.

[4]. In such circumstances, this Court is of the opinion that further detention of the petitioner for an indefinite period is not called for and otherwise the trial is likely to take some time, as only 2 prosecution witnesses have been examined so far and regular proceedings of the Courts are severely effected due to prevalence of the COVID-19 Pandemic.

[5]. As such, without commenting any further on the merits of the present case as a whole, the prayer of the petitioner for his release on regular bail is allowed and he is ordered to be released subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[6]. Disposed off.

08.10.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No