

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(through video conferencing)

CRM-M-26002-2020 (O&M)

Date of decision: 08.09.2020

Sandhura Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.80 dated 28.06.2020 registered under Sections 22, 29/61/85 of NDPS Act, 1985 at Police Station City Rampura, District Bathinda, Punjab.

Learned counsel for the petitioner contends that the alleged recovery of the contraband of 12,300 intoxicant tablets mark 'CLOVIDOL 100 SR' was effected from the possession of co-accused Jasvir Singh @ Jassa and Ravi Singh during a routine checking which was being carried out by the police. He further contends that no recovery was effected from the petitioner and his name was arrayed as an accused only on the basis of disclosure statement suffered by the co-accused, which is a very weak type of evidence. He further submits that the petitioner is not involved in any other case of similar nature.

Learned State counsel has opposed the submissions made by learned counsel for the petitioner, however, she has conceded on

instructions that the name of the petitioner figured only in the disclosure statement suffered by the co-accused and no recovery whatsoever was effected from him. She has admitted that the petitioner is not involved in any other case of similar nature.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 01.07.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

08.09.2020

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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No