

In virtual Court

CRM-M-26764-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26764-2020 (O&M)
Date of decision: 15.09.2020

Bhajan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kuldip Singh, 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.86 dated 19.07.2019 under Section 22 of NDPS Act, registered at Police Station Sadar Jalalabad, District Fazilka; first one was dismissed as withdrawn on 26.02.2020.

Learned counsel for the petitioner submits that the petitioner already stands exonerated in another FIR No.289 dated 13.10.2015 under Section 15 of NDPS Act, registered at Police Station City-I, Abohar and has placed on record copy of the judgment dated 27.01.2017. It is further submitted that in the present case, the petitioner is in custody for the last more than 01 year and 01 month and till date, no prosecution witness has been examined. It is also submitted that it will take some time, when the prosecution evidence will be recorded and the petitioner may be granted the concession of interim bail,

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considering the COVID-19 situation in the country.

Learned State counsel, on the basis of custody certificate dated 14.09.2020 filed in the Court today, has not disputed the factual position.

After hearing learned counsel for the parties and without commenting anything on merits of the case, considering the submissions of learned counsel for the parties, this petition is partly allowed and the petitioner is directed to be released on interim bail till 28.12.2020 subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

**[ARVIND SINGH SANGWAN]
JUDGE**

15.09.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No