

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

(Heard through VC)

CRM-M-26772 of 2020 (O&M)
Date of Decision: September 22, 2020

Rajdeep Singh @ Lovely

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manish Kumar Singla, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.20 dated 19.02.2020, under Sections 22, 29 of NDPS Act, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner would submit that name of the petitioner has not been mentioned in the FIR and he has been nominated only on the basis of statement given by co-accused Gurcharan Singh @ Charani. It is argued that this is a case of false implication, as he was arrested on 19.02.2020 and the alleged recovery has been effected on the intervening night of 19/20.02.2020 as per the recovery memo. It is further submitted that co-accused have already been allowed regular bail by this court vide Annexures P-1 to P-5. It is also contended that investigation is complete, as the challan has already been

presented and due to Covid-19 pandemic the courts are not functioning at their full strength, as such, the trial is likely to take sufficient time to conclude, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that huge quantity of Tramadol was recovered from the chicken coop constructed in the house of the petitioner.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 19.02.2020; challan has already been presented; co-accused have already been allowed regular bail by this court and the trial is likely to take sufficient time to conclude because of limited functioning of the courts due to Covid-19 pandemic, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

September 22, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No