

In virtual Court

CRM-M-26899-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26899-2020 (O&M)
Date of decision: 15.09.2020

Bhinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sandeep Verma, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 4th petition for grant of regular bail in FIR No.347 dated 25.12.2018 under Section 18 of NDPS Act, registered at Police Station Civil Lines, Patiala; first one was disposed of vide order dated 09.04.2019, by granting interim bail awaiting the FSL report in view of **Inderjeet Singh @ Laddi and others Vs. State of Punjab, 2014 (3) RCR (CrI.) 953**, second petition was dismissed on 23.05.2019 and third petition was dismissed as withdrawn on 03.02.2020.

Learned counsel for the petitioner submits that for the last 09 months, the trial is standstill due to COVID-19 situation in the country and out of total 10 prosecution witnesses, only 03 witnesses have been examined so far. Learned counsel relies upon the order dated 28.08.2020 passed in CRM-M-

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10550-2020, vide which co-accused of the petitioner namely Pawan Kumar has been granted the concession of interim bail.

Learned counsel for the petitioner further submits that petitioner is in judicial custody for the last more than 01 year and 04 months and he is not involved in any other case. It is further submitted that the petitioner was granted interim bail awaiting the FSL report as noticed above and thereafter, he has surrendered back and has not misused the concession of interim bail.

Learned State counsel, on the basis of custody certificate dated 15.09.2020 filed in the Court today, has not disputed the fact that petitioner is not involved in any other case.

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