

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
203 (PROCEEDINGS THROUGH V.C.)**

CRM-M-27707-2020

Date of decision: 21.09.2020

JASKARAN SINGH

...PETITIONER

V/S

STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Mr. B.S.Sewak, Addl. A.G. Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this application is for grant of regular bail to the petitioner in FIR No. 101 dated 15.05.2020 under Sections 15 and 18 of NDPS Act, 1985 (Section 29 of NDPS Act added later on) registered at Police Station Dirba, District Sangrur.

It is the contention of the learned counsel for the petitioner that Jagsir singh was apprehended by the police on 15.05.2020 with 2 Kg of opium recovered from him. Thereafter, 57 Kg of poppy husk was also got recovered by him. The said co-accused Jagsir Singh disclosed names of Gurlal Singh @ Lalli and Mandeep Singh @ Deep. These two persons were granted anticipatory bail by this Court. Mandeep Singh, during interrogation, disclosed the name of the petitioner-Jaskaran Singh, who was arrested. No recovery has been effected from him as regards the allegation against the petitioner is concerned that his truck was used for transportation

of the said contraband. Counsel contends that the petitioner is in custody

since 20.07.2020. There is no other case against the petitioner under the NDPS Act except for the present one although there are two other cases under the provisions of IPC and Arms Act. Counsel, therefore, prays that the petitioner be granted the concession of bail.

On the other hand, learned counsel for the State submits that the truck of the petitioner has been used for transportation of the contraband and, therefore, he does not deserve the concession of bail. He, however, could not dispute the factual assertions, as have been pointed out by the counsel for the petitioner.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that no recovery has been effected from the petitioner, the co-accused of the petitioner, who were also named during interrogation, have been granted the concession of anticipatory bail by this Court with no case against the petitioner under the NDPS Act except for the present one especially in the prevailing circumstances when the Courts are working in a restricted manner and the trial is not likely to conclude in near future, the present application is allowed.

Petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate, Sangrur.

Any observation made herein above shall have no bearing on the merits of the case during trial in any manner.

September 21, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No