

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

**CRM-M No.28716 of 2020 (O&M)  
Date of Decision.10.11.2020  
(Heard through VC)**

Chamkaur Singh alias Raju

...Petitioner

Vs

State of Punjab

...Respondent

**CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. C.S. Rana, Advocate  
for the petitioner.

Mr. Amit Mehta, DAG, Punjab.

-.-

**JAISHREE THAKUR J. (ORAL)**

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.242 dated 17.11.2019 registered under Section 22 of NDPS Act, 1985 and Section 61(1) of Punjab Excise Act, 1914 at Police Station City Jagraon, Ludhiana, who is in custody for last more than 10 months.

Learned counsel for the petitioner herein would contend that as per prosecution version, 960 loose intoxicant tablets and 40 bottles of country made liquor were recovered from the petitioner, which is marginally above the non-commercial quantity. The petitioner was allowed interim bail by the trial Court due to non-availability of FSL report, however, the petitioner could not furnish the bail bonds and consequently, bail of the petitioner was dismissed. Investigation is complete and the challan has already been presented and the trial is likely to take some time to conclude, therefore, the petitioner is entitled to concession of bail.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner by contending that he is a habitual offender.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that the challan has already been presented and the fact that the trial is likely to take some time to conclude owing to *novel corona virus* pandemic situation, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case. In case, the petitioner found indulged in any similar activity, the respondent-State would be at liberty to approach the Court for cancellation of bail granted to him.

(JAISHREE THAKUR)  
JUDGE

November 10, 2020

Pankaj\*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |