

Sr. No.212

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

**CRM-M-28410 of 2020 (O&M)
DATE OF DECISION : 23.09.2020**

Harinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. K.S. Brar, Advocate,
for the petitioner.

Mr. V.G. Jauhar, DAG Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 156 dated 04.11.2019, registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Khuian Sarwar, District Fazilka.

2. Per FIR, on 04.11.2019, police party apprehended the petitioner along with his accomplice on the basis of suspicion, while they were coming on foot. On checking of the bag being carried by the petitioner 980 tablets of Tramadol Hydrochloride and 550 tablets of Alprazolam were recovered.

3. Learned counsel submits that the petitioner is in custody since 04.11.2019. He submits that the provisions of NDPS Act were not followed prior to alleged recovery.

4. On the other hand, learned State counsel opposes the bail plea. He, however, admits that the petitioner is not having any criminal background and is in custody since 04.11.2019. He further admits that presently there is no headway in the trial due to Covid-19 pandemic..

5. The petitioner is in custody almost for the past more than ten months. Investigation is already over, but trial is not likely to conclude anytime soon due to covid-19 pandemic. The petitioner is not having any criminal background. There is no headway in the trial as Courts are currently working with restrictions and taking up only urgent matters.

6. Considering the overall scenario, without commenting on the merits of the case, the petition is allowed. Petitioner shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/ Duty Magistrate, as the case may be. In case, while on bail, petitioner is found involved in offence of similar nature, the prosecution would be at liberty to seek cancellation of his bail.

(ARUN MONGA)
JUDGE

September 23, 2020
Jiten

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No