

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

Criminal Misc.-M-28101 of 2020
Date of Decision: November 17, 2020

Jagpinderjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. G.S.Verma, Advocate,
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.92 dated 04.06.2019, under Section 22 N.D.P.S.Act, 1985, registered at Police Station, Tibba, District Ludhiana. The petitioner is in custody since his arrest on 04.06.2019.

As per the allegations in the FIR, on 04.06.2019, 1120 tablets of Lomotil and 500 tablets of Clovidol were recovered from the possession of the petitioner.

Learned counsel for the petitioner contends that after completion of the investigation, the challan was filed on 31.10.2019 and the charges were framed on 17.12.2019. He submits that no prosecution witness has been examined so far out of total sixteen witnesses. According to him, the trial is likely to consume considerable time and, therefore, the further custody of the petitioner may not be justified, particularly when he is not

involved in any other case of similar nature. He prays for grant of regular bail, during the pendency of the trial.

On the other hand, the learned State counsel, has opposed the prayer, however, it is not disputed by him that no prosecution witness has been examined so far. He, on instructions, submits that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this Court finds that after completion of investigation of the case, the final report has been filed on 31.10.2019, but the trial is yet to commence. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may delay the conclusion of trial. The petitioner is presently confined in judicial custody since 04.06.2019 and his further detention may not be necessary for any useful purpose, therefore, this Court does not find any reason to decline the prayer.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Ludhiana.

November 17, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No