

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28706-2020

Date of Decision: 07.10.2020

Prabhdeep Singh @ Prabh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Umesh Aggarwal, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. AG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.
2. Prayer is for grant of regular bail under Section 439 Cr.P.C.
3. Learned Addl. AG, Punjab contends that the petitioner was granted interim bail vide order Annexure P/3 dated 23.05.2019, by the learned Addl. Sessions Judge, with the condition that if the quantity of psychotropic substance was found to be of commercial quantity on receipt of report of Chemical Examiner, then, the interim bail granted to the petitioner would be deemed to be cancelled and the petitioner would surrender before the trial Court. Learned Addl. AG, Punjab further contends that in view of the report of the chemical examiner, holding the quantity of psychotropic substance to be of commercial quantity, the petitioner surrendered before the learned trial Court on 17.02.2020 whereafter he filed the instant petition without moving an application for regular bail before the learned trial, therefore the petitioner is liable to be relegated to first approach the learned trial court.
4. Faced with the aforementioned plea, learned counsel for the petitioner

prays for permission to withdraw the instant petition with liberty to move an application for regular bail before the learned trial Court.

5. Prayer made by learned counsel for the petitioner is not opposed by learned Addl. AG, Punjab.

6. Accordingly, without commenting upon the merits of the case, the petition U/s 439 Cr.P.C. is dismissed as withdrawn with liberty to the petitioner to file an application for regular bail before the learned trial Court. In case an application for regular bail is filed before the learned trial court, the learned trial Court shall consider and decide the same as expeditiously as possible preferably within ten days.

(B.S. Walia)
Judge

07.10.2020

'Amit-Rajesh'

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