

CRM-M-28919-2020

Date of decision: 24.09.2020

Ramwinder Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Mohit Kumar, Advocate for
Mr. Vikas Arora, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Notice of motion to the respondent-State.

Mr. Jagmohan Ghuman, DAG, Punjab puts in appearance and accepts notice on behalf of the respondent-State. Copy supplied.

The petitioner-Ramwinder Singh, who is in custody in a case bearing FIR No.141 dated 11.06.2019 under Section 22 of the NDPS Act and Section 61 of the Excise Act registered at Police Station Lehra District Sangrur, has sought first regular bail under

Section 439 Cr.P.C.

Upon hearing and on perusal of the records, the case of the prosecution is that on 11.06.2020, the police apprehended the petitioner while coming on foot and on search of the bag being carried by the accused, 800 tablets of Tramadole (intoxicating tablets) and 10 bottles of illicit liquor were recovered. The contentions of learned counsel for the petitioner that the petitioner is behind the bars since 11.06.2019 and that the trial is yet to take off and has shown apprehension over the present pandemic infection while in custody.

The learned State counsel though does not displace the facts and concedes that there is no other similar case being faced by the accused but has strongly opposed the grant of bail on the grounds of seriousness of the offence.

In light of what has been brought before this Court, the petitioner is behind the bars for more than 01 year and 03 months and in view of the present COVID-19 pandemic, which is sweeping the entire country and the apprehension of the petitioner's counsel that he might to be infected, together with the efforts of the authorities in decongesting the jails, this Court without feeling necessity to advert on the merits of the case, allows the present petition. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands disposed off accordingly.

24.09.2020
Neha

(FATEH DEEP SINGH)
JUDGE

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