

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

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**CRM-M-29585-2020 (O&M)
Date of decision: 01.10.2020**

Ravi Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Ms. Manpreet Ghuman, Advocate,
for the petitioner.
Mr. H.S. Sitta, Asstt. A.G., Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Ravi Singh, stated to be aged 20 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.242 dated 08.12.2019, under Sections 22, 25 and 29 of NDPS Act, 1985, registered at Police Station Dhanaula, District Barnala.

Learned counsel for the petitioner firstly submits that the petitioner has not been named in the FIR. Secondly, he submits that the petitioner was in custody and was taken on production warrants on 18.01.2020 to be produced in the present case.

Learned State counsel, on instructions from Hardeep Singh, submits that there is one more FIR against the petitioner involving the provisions of NDPS Act. He further submits that the investigation is complete and challan has been presented. There are total of 12 witnesses but none has

been examined till date. Next date before the trial Court is 14.01.2021.

Faced with the situation, learned counsel for the petitioner submits that he has instructions from the petitioner and his family members that they would submit the original papers of the ancestral house (which is in the name of the relative/family members of the petitioner) with an undertaking that they would neither alienate the said property nor create any incumbrance on the same, till further orders of the trial Court. The petitioner would also give an undertaking that he would not involved himself in any other case after the present case and in case he is found involved and found guilty in any other subsequent case (today onwards), the above said property can be confiscated and the amount realized be forfeited in the Government Treasury.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the bail/surety bonds, in pursuance to the offer made by counsel for the petitioner, the petitioner would submit the original papers of the ancestral house (which is in the name of the relative/family members of the petitioner) with an undertaking that they would neither alienate the said property nor create any incumbrance on the same, till further orders of the trial Court. The petitioner would also give an undertaking that he would not involve himself in any other case after the present case and in case, he is found involved and found guilty in any other subsequent case (today onwards), the

amount so realized from the sale of the said house shall stand confiscated and deposited in the Government Treasury. The same shall be without prejudice to defence of the petitioner before the trial Court.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.10.2020

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No