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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.30516 of 2020 (O&M)

Date of decision: 08.10.2020

Harjinder Singh @ Jinder

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sandeep Verma, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this 3rd petition is for grant of regular bail to the petitioner in FIR No.347 dated 25.12.2018, registered under Section 18 of the NDPS Act at Police Station Civil Lines, Patiala.

The first petition seeking regular bail was dismissed vide order dated 23.05.2019 and the 2nd petition seeking regular bail to the petitioner was disposed of on 26.03.2019, granting interim bail to the petitioner awaiting the FSL report.

Counsel for the petitioner has argued that for the last 09 months, the trial is standstill due to COVID-19 situation and out of total prosecution witnesses, only 03 PWs have been examined so far. It is further submitted that the petitioner is in custody for the last 01 year, 05 months and 06 days and he is not involved in any other case.

Counsel for the petitioner has also submitted that the petitioner was granted interim bail awaiting the report of FSL, as noticed above and thereafter, he has surrendered back and has not

CASE HEARD THROUGH VIDEO CONFERENCING

misused the concession of interim bail.

Counsel for the State has not disputed the factual position and submits that the petitioner is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 year, 05 months and 06 days; the petitioner is not involved in any other case; the co-accused of the petitioner has already been granted the concession of bail and the conclusion of the trial will take long time due to COVID-19 situation, this petition is partly allowed and the petitioner is directed to be released on interim bail till 28.12.2020 subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

(ARVIND SINGH SANGWAN)
JUDGE

08.10.2020
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No