

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

212

**CRM-M-30321-2020**  
**Date of Decision: 05.10.2020**

**Jaspal Singh @ Pala**

....Petitioner.

Versus

**State of Punjab**

....Respondent.

**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

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**Present:** Mr.Divjyot S.Sandhu, Advocate  
for the petitioner.

Mr. A.A. Pathak, Additional Advocate General, Punjab.

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**Lalit Batra , J . (Oral)**

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Jaspal Singh @ Pala** in case F.I.R. No.30 dated 26.01.2018 under Section 22 of NPDS Act, 1985 registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that after having received the FSL report, petitioner was admitted to regular bail by the trial Court but later on he could not appear in Court on 03.07.2019 and as such he was declared proclaimed offender on 19.02.2020. He further urges that petitioner was re-arrested on 02.05.2020 and he is in custody since then. He further submits that petitioner is no more required by the police for any investigation purpose. He further urges that challan has been presented in the Court and trial has already commenced. He further

urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 02.05.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has been presented in the Court; that trial has already commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Jaspal Singh @ Pala** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Kapurthala, as the case may be.

October 05, 2020  
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**(LALIT BATRA)**  
**JUDGE**

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