

**CRM-M-28591-2019 and
CRM-M-54909-2019**

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

Date of decision: 09.10.2020

1. CRM-M-28591-2019

Kulwant Singh

...Petitioner

Versus

State of Punjab

.....Respondent

AND

2. CRM-M-54909-2019

Gopi Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. P.S.Sekhon, Advocate,
for the petitioners in both the petitions.

Mr. Venu Gopal Jauhar, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Both the cases are taken up for hearing through video conferencing.

Through these petitions, the petitioners seek regular bail in case FIR No.64 dated 23.03.2019, registered at Police Station Sardulgarh, District Mansa, under Sections 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioners argues that for the last 08

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months, the trial is standstill due to COVID-19 situation and out of 13 prosecution witnesses, only 02 witnesses have been examined thus far. He further contends that the petitioners have been in custody since 23.03.2019 and is not involved in any other case.

At this stage, the learned counsel for the petitioners restricts his prayer to the extent that the petitioners be released on interim bail in view of COVID-19 situation, as the trial is not proceeding further.

Learned State counsel does not dispute the factual position and submits that the petitioners are not involved in any other case.

Without commenting anything on the merits of the case, considering the fact that the petitioners have been in custody for the last more than 01 year and 06 months; the petitioners are not involved in any other case and conclusion of the trial would take time due to COVID-19 situation, the petitioners are directed to be released on interim bail till 14.01.2021, subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

However, the trial Court, after assessing the situation, if the trial has not commenced in ordinary course and the evidence is not recorded, may continue with the interim bail granted to the petitioners till further orders and in case, the trial Court resumes recording evidence, it will be open for the trial Court to cancel such interim bail.

Disposed of.

09.10.2020
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No