

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-31625 of 2020

Date of Decision: 03.12.2020

Jagjit Singh @ Major

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Sukhbeer Singh, A.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in FIR No.128 dated 25.06.2020 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bilga, District Jalandhar.

Learned counsel for the petitioner has argued that the total alleged recovery made in the case is 52 kg of poppy husk, which is marginally higher than the commercial quantity and the petitioner is in custody since 25.06.2020. There is no other case against the petitioner under NDPS Act.

I have heard learned counsel for the parties.

Learned State counsel, on instructions from SI Som Nath, does not dispute the custody of the petitioner and the alleged recovery made in the case.

Admittedly, the alleged recovery made in the case is 52 kg of poppy husk, which is marginally higher than the commercial quantity and the petitioner is in custody since 25.06.2020. Considering the fact that there is no other case pending against the petitioner under NDPS Act and trial in the case is not likely to be concluded in near future due to Covid-19 pandemic, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that in case the petitioner is found involved in any other case under NDPS Act, the State shall be at liberty to seek cancellation of bail granted to the petitioner.

December 03, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No