

CRM-M-29984-2019

Date of decision: 26.10.2020

Tarsem Singh @ Semi and another

.....Petitioners

versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH****Present:** Mr. Gurveer Singh Sidhu, Advocate  
for the petitioners.Mr. Jagmohan Ghuman, DAG, Punjab  
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The allegations against both the petitioners-Tarsem Singh @ Semi and Avtar Singh @ Babbu, in this first regular bail application under Section 439 Cr.P.C. in a case bearing FIR No.59 dated 03.04.2019 under Sections 22 and 25 of the NDPS Act registered at Police Station Raman, District Bathinda, are that they were apprehended on a motorcycle on 03.04.2019 and from a bag hung on the handle of the motor bike, 10,000 tablets of Tramadol were got recovered.

Learned counsel for the petitioners *inter alia* contends that the petitioners are behind the bars for more than 01 year 06 months and 19 days and has placed reliance on CRM-M-16336-2020 (O&M) decided on 29.07.2020 titled as **'Sanjay Kumar versus State of Punjab'**, CRM-M-15530-2020 (O&M) decided on 24.07.2020 titled as **'Sagar Arora versus State of Punjab'**, CRM-M-19285-2020 decided on 06.08.2020 titled as **'Taranjit Singh @ Tarni versus State of Punjab'**, CRM-M-46318-2019 decided on 17.12.2019 titled as **'Jagsir Singh @ Seera versus State of Punjab'** and CRM-M-16824-2020 decided on 30.06.2020 titled as **'Raj Kumar versus Narcotic Control Bureau, Chandigarh'**, to seek clarity.

The learned State counsel has strongly opposed the bail on the grounds of heinousness of the offences and seriousness of the allegations.

Appreciating the submissions as has come across to this Court and the petitioners are behind the bars for more than one and a half years, it would be travesty of justice to keep them for more time. In light of the present pandemic scenario, where efforts are being made by the authorities to decongest the jails to prevent the further spread of malady and in view of the ratios cited at the bar in view of parity, this Court, without commenting on the merits of the case, impels to allow the present petition.

Accordingly, the petitioners are ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty

Magistrate.

The petition stands disposed off accordingly.

26.10.2020  
Neha

(FATEH DEEP SINGH)  
JUDGE

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