

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-33171-2019
(Heard through VC)
Date of decision: 13.08.2020

Manjeet Singh @ Baggar

....Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. J.K.Singla, Advocate for the petitioner.

Mr. Hittan Nehra, Addl.A.G., Punjab.

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No. 46 dated 03.07.2019 registered under Sections 22 and 25 of NDPS Act, 1985 at Police Station Jaurkian, District Mansa.

Learned counsel for the petitioner submits that the recovery of 400 strips of TREDOL-100 was effected from the petitioner. He is in custody since 03.07.2019 and he should be released on regular bail keeping in view that the trial is not likely to conclude in near future.

Learned counsel for the State, on instructions from SI Nazar Singh, informs that out of 12 witnesses, only 3 witnesses have been examined till date. He is opposing grant of regular bail on the ground that recovery from the petitioner is commercial in quantity and as per Section 37 of the NDPS Act, he is not entitled for concession of bail.

Learned counsel for the petitioner has further referred to judgment passed by this Court in **CRM-M-12541-2020** titled as

Lakhwinder Singh @ Lakha V/s. State of Punjab decided on 10.08.2020

whereby the Court has granted regular bail in similar circumstances keeping in view period of incarceration and prevailing situation of COVID-19 pandemic

Keeping in view the submissions made by learned counsel for the petitioner, judgment dated 10.08.2020 and that the trial will take some time for its conclusion, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

However a direction is being given to the State that if the petitioner is found indulging in any other NDPS Act irrespective of commercial or non-commercial quantity, application for cancellation of bail be moved immediately.

13.08.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:
Whether reportable:****Yes/No
Yes/No**