

In virtual Court

CRM-M-36365-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36365-2019 (O&M)
Date of decision: 25.08.2020

Darshan Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of regular bail in FIR No.119 dated 11.08.2018 under Sections 21 & 22 of NDPS Act, registered at Police Station Baragudha, District Sirsa; earlier one was disposed of, by granting interim bail awaiting the FSL report in view of **Inderjeet Singh @ Laddi and others Vs. State of Punjab, 2014 (3) RCR (CrI.) 953.**

Learned counsel for the petitioner submits that after availing interim bail, the petitioner has surrendered back. It is further submitted that as per allegations in the FIR, a young person was seen by the police party, who started walking fast on the bank of a canal on seeing the police party and he was nabbed and he was carrying a polythene bag in his right hand, from where two boxes containing 320 tablets of tramadol were recovered and same falls in

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commercial quantity. It is also submitted that the Investigating Officer and the complainant are the same person and the petitioner is not involved in other case; he is in custody for the last more than 01 year and 04 months and the trial is not proceedings, as till date, no prosecution witness has been examined.

Learned State counsel has filed the custody certificate in the Court today and has not disputed the factual position, however, submitted that out of total 12 prosecution witnesses, none has been examined so far due to COVID-19 situation in the country.

After hearing learned counsel for the parties and without commenting anything on merits of the case, this petition is partly allowed and the petitioner is directed to be released on interim bail till 15.12.2020 subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

It will be open for the trial Court either to grant extension of interim bail assessing the circumstances and evidence or dismiss the bail, in accordance with law.

[ARVIND SINGH SANGWAN]
JUDGE

25.08.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No