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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.40035 of 2020 (O&M)  
Decided on: 04.12.2020

Hardeep Singh @ Deepu

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

**Present :** Mr. J.S. Sandhu, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.238 dated 22.11.2018, for offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act') registered at Police Station Maur, District Bathinda.

Counsel for the petitioner has argued that the petitioner is not involved in any other case and in the present case, he is in custody for the last 02 years and 11 days. It is further submitted that as per the allegations in the FIR, the petitioner was apprehended with 21 intoxicant bottles of ONEREX weighing 100 ML each and 21 strips of CARISOPRODOL. It is also submitted that charges were framed on 12.04.2019 and out of 11 prosecution witnesses, only 05 PWs have been examined so far and due to COVID-19 situation, the trial is not

**CASE HEARD THROUGH VIDEO CONFERENCING**

progressing. It is also submitted that the petitioner is not involved in any other case.

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that challan stands presented; charges have been framed; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**04.12.2020**

*yakub*

Whether speaking/reasoned                      Yes/No

Whether reportable:                                  Yes/No