

**206-A**

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**\*\*\*\***

**CRM-M-34532-2019**

**Date of Decision: 08.10.2020**

**\*\*\*\***

Sukhwant Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. Gurpal Singh Sandhu, Advocate,  
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

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**SUDIP AHLUWALIA, J. (ORAL)**

The present petition has been filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.145 dated 20.12.2018, under Section 22 of the NDPS Act, registered at Police Station Arniwala, District Fazilka.

[2]. From the Custody Certificate of the petitioner, sent up by Ld. State counsel, through e-mail, it transpires that the petitioner has remained in detention for a period of one year, nine months and seventeen days, by now and is not involved in any other case under the N.D.P.S. Act.

[3]. Ld. Counsel for the petitioner relies upon the decisions of the Co-ordinate Bench of this Court, in cases bearing **CRM-M-13685-2020** titled as **“Sher Singh Vs. State of Punjab”**, dated **15.06.2020**;

**CRM-M-2831-2019** titled as “**Sunil Bhati @ Sunil Kumar Bhati Vs. State of Punjab**”, dated **13.01.2020**; **CRM-M-13732-2020** titled as “**Ricky Vs. Union of Territory, Chandigarh**”, dated **16.06.2020** and **CRM-M-46998-2019** titled as “**Harwinder Singh Vs. State of Punjab**”, dated **10.02.2020**, in which the petitioners, from whom contraband of commercial quantity had been recovered, were nevertheless released on bail, in view of the fact that they were not reported to be involved in any other case under the NDPS Act, and also that on account of existing Covid-19 pandemic, routine trial of the cases would take a long time.

[4]. In such circumstances, this Court is of the opinion that further detention of the petitioner for an indefinite period is not called for and otherwise the trial is likely to take some time, as only 2 prosecution witnesses have been examined so far and regular proceedings of the Courts are severely effected due to prevalence of the COVID-19 Pandemic.

[5]. As such, without commenting any further on the merits of the present case as a whole, the prayer of the petitioner for his release on regular bail is allowed and he is ordered to be released subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[6]. Disposed off.

**08.10.2020**

*Bhumika*

**(SUDIP AHLUWALIA)  
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No