

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-35565-2019

Date of Decision:17.11.2020

Ranjit Singh @ Money Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Jitender Singh Dadwal, Advocate,
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.237 dated 17.10.2018 under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Moti Nagar, District Ludhiana.

The allegation against the petitioner is that recovery of 500 grams of Heroin was effected from him.

Learned counsel for the petitioner has argued that the petitioner was arrested in the case on 17.10.2018 and since then he is in custody and there is no other case against him. He submits that as against total 13 witnesses cited by the prosecution, no PW has been examined so far.

Custody certificate is taken on record.

Learned State Counsel does not dispute the custody period of the petitioner. However, he submits that the recovered quantity is commercial and as against total 13 witnesses cited by the prosecution, 03 witnesses have been examined in the case.

Heard learned counsel for the parties.

Petitioner is in custody since 17.10.2018. As per custody certificate, no other case has been pointed out against the petitioner. As against total 13 witnesses cited by the prosecution, 03 witnesses have been examined. No doubt, the recovered quantity is commercial but considering the custody of the petitioner and the fact that trial is not likely to be concluded in the near future, furthermore, when COVID-19 pandemic has adversely affected the ongoing trial, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/heavy surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail in the present case.

November 17, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No