

Sr. No.208

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

**CRM-M-40109 of 2019 (O&M)
DATE OF DECISION : 30.09.2020**

Naseeb Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Salil Bali, Advocate,
for the petitioner.

Mr. P.S. Walia, AAG Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 71 dated 15.07.2019, registered under Sections 18, 22 and 61 of Narcotic Drugs and Psychotropic Substances Act, Police Station Kulgari, District Ferozepur.
2. Per FIR, on 15.07.2019, a secret information was received about petitioner being indulgent in selling intoxicant tablets and opium. It was informed that petitioner was on-way riding his motor cycle bearing registration No. PB46-V-8187 along with intoxicants tablets. A case was registered. Blockade was erected. Petitioner was apprehended. From him, 53 strips of Alprasave 0.5 (Alprozolam) having 15 tablets each, totalling 795 tablets, 285 loose tablets along with 700 grams of opium were recovered. The petitioner was arrested on 15.07.2019. Since then he is in custody.
3. Learned counsel submits that there is violation of mandatory provisions of NDPS Act. Yet, petitioner is in custody since 15.07.2019.

Presently there is no headway in the trial due to Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars anymore. According to him, the petitioner is not involved in any other case.

3. Learned State counsel, on the other hand, does not controvert that presently trial has been held up due to Covid-19 pandemic and that petitioner is not involved in any other case.

4. The above submissions made by learned counsel for the petitioner shall be adjudicated at the trial, which is presently held up due to Covid-19 pandemic. There is no likelihood of commencement or conclusion thereof anytime soon. Courts are currently working with restrictions due to Covid-19 pandemic and are taking up only urgent matters. The petitioner is not involved in any other case and he is in custody for about 1 year and 02 months. The witnesses are official and thus, there is no occasion with the petitioner to influence or put pressure upon them. Accordingly, given the over all scenario, I am of the opinion that no useful purpose would be served by keeping petitioner in custody any more.

5. Taking wholesome view of the matter, but without expressing any opinion on the merits of the case, at this juncture, the petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/ Duty Magistrate, as the case may be.

6. Petition stands allowed accordingly.

(ARUN MONGA)
JUDGE

September 30, 2020
Jiten

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No