

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 40364 of 2019 (O&M)
Date of Decision: 12.10.2020

Kashish @ Kannu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. J.S.Thakur, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-24916-2020

This is an application for grant of exemption from filing the process fee and welfare stamp.

Learned counsel for the petitioner is directed to make good the welfare stamp once the pandemic situation is over.

The application stands disposed of.

CRM-24917-2020

This is an application under Section 482 CPC for preponement of the main case, which is fixed for hearing on 21.12.2020.

Notice of the application.

On the asking of the Court, Mr. Ajay Pal Singh Gill, DAG,

Learned counsel for the applicant-petitioner prays that the date of hearing in the main case may be preponed from 21.12.2020 and the case may be taken up for final disposal today itself.

Learned State counsel does not have any objection to the prayer made by the learned counsel for the applicant-petitioner.

For the reasons mentioned in the application, the same is allowed.

Main case is preponed from 21.12.2020 and is taken up on board for hearing today itself.

CRM-M-40364-2019

The petitioner seeks regular bail in FIR No. 166 dated 06.9.2018 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Division No. 3, District Police Commissionerate Jalandhar, Jalandhar.

Learned counsel for the petitioner submits that the alleged recovery effected from the petitioner is 35 injections of Buprenorphine Hydrochloride. He further submits that he has been in custody since 07.9.2018 and there is no other case against him. He further submits that the petitioner is a patient of HIV positive and suffering from Yellow Fever.

On the other hand, learned State counsel has opposed the bail application but he has not disputed the fact that there is no other case pending against the petitioner.

Custody certificate by way of affidavit of Deputy Superintendent, Central Jail, Kapurthala has been filed through e-mail. Copy of the same is taken on record.

As per the custody certificate, the petitioner has been in custody

from the last 02 years, 01 month and 04 days. The trial will take time to

conclude because of COVID-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

October 12, 2020
Gurpreet

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