

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

Sr. No.207

CRM-M-42110-2019

Date of decision: 14.10.2020

Harpreet Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. B.S. Jatana, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.0118 dated 23.08.2019 registered under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City-2, Mansa, District Mansa.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; no recovery was effected from the conscious possession of the petitioner; he has been in custody since 23.08.2019; there is no other criminal case in which the petitioner is involved; as per the case of the prosecution the petitioner was identified by Constable Dupinder Singh, who could have not done so since he was unknown to him and that the petitioner's trial in which, till date, none of the 19 prosecution witnesses have been examined is likely to take a long time to conclude especially in the present circumstances when the world is facing

the Covid-19 pandemic.

Learned State counsel opposes the grant of bail on the ground that the petitioner was found in illegal possession of 29 vials of Onerex and 390 tablets of Carisoma.

The petitioner has been in custody for the last about 01 year and 02 months; there is no other criminal case in which the petitioner is involved and the petitioner's trial in which till date none of the 19 prosecution witnesses have been examined is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Mansa, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(DEEPAK SIBAL)
JUDGE

October 14, 2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No