

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

CRM-M-50040-2019 (O&M)
Date of Decision: August 05, 2020

RAVINDERPAL SINGH @ VINDER

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Bikramjit Singh Bajwa, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG., Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioner prays for bail pending trial in FIR No.134, dated 06.08.2019 under Sections 21, 25, 27-A, 29 of the NDPS Act, registered at Police Station Gharinda, District Amritsar.

Learned counsel for the petitioner argues that the petitioner is sought to be falsely implicated in this case merely on the basis of a disclosure statement of the co-accused, who were apprehended at the spot. The alleged recovery effected from the petitioner Ravinderpal Singh @ Vinder as per the prosecution version is 60 grams of heroin, thus, not a commercial quantity. As far as the recovery of Rs.10,91,000/- is concerned, learned counsel for the

petitioner argues that the petitioner had executed an agreement to sell his property, on 26.07.2019 (Annexure P-2) and the petitioner had received earnest money of Rs.10,00,000/-. Moreover, the challan in this case stands presented and the petitioner is not involved in any other criminal case. It is further submitted that a similarly situated co-accused Iqbal Singh @ Daula Pehlwan was afforded the concession of bail by the co-ordinate Bench on 02.03.2020 in CRM-M-47627-2019. Ld counsel further points out that the petitioner was afforded interim bail for ten weeks in this case and he did not abuse the said concession. It is, thus, prayed that this petition be allowed.

Learned counsel for the State while opposing this petition submits that the amount of Rs.10,91,000/- is the money obtained by the petitioner through drug trafficking. 60 grams of heroin along with a tractor and a mobile are also stated to be recovered from the petitioner, though, it is not disputed that the petitioner has been inculpated in this case on the disclosure statement of the co-accused, who were apprehended at the spot on 06.08.2019. It is brought to my notice that final report under Section 173 Cr.P.C. was presented on 09.12.2019 qua the petitioner and the co-accused Iqbal Singh @ Daula Pehlwan. On instructions from ASI Angrej Singh, it is informed by learned counsel for the State that the petitioner is not involved in any other criminal case.

Due to the outbreak of the pandemic COVID-19 much progress is not being made towards conclusion of the trial. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. The petitioner be released on bail pending trial subject to their furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court/Duty Magistrate.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

August 05, 2020
Sunil

(LISA GILL)
JUDGE

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