

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.53345 of 2019 (O&M)
Date of Decision.22.07.2020
(Heard through VC)

Rachhpal Singh @ Pala

...Petitioner

Vs

The State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

CRM No.16082 of 2020

Prayer in the application is for preponment of the bail application, which is now listed for 12.10.2020.

With the consent of both the parties, the application is allowed and hearing of the main petition is preponed for today itself.

CRM-M No.53345 of 2019

This is a petition that has been filed for grant of regular bail in case FIR No.175 dated 28.08.2019 under Section 22 of NDPS Act registered at Police Station Dharamkot, District Moga.

Counsel for the petitioner herein would *inter alia* contend that as per FSL report, out of total tablets seized, the content of Tramadol Hydrochloride salt is 97.85 mg per tablet and if 1000 tablets were seized, the total content of Tramadol Hydrochloride would be 98 gms, which is less than commercial quantity. Moreover, the provisions of Section 50 have not been complied with. The trial is likely to take some time, therefore, no

useful purpose would be served by keeping the petitioner behind the bars.

Learned counsel appearing for the respondent-State, on instructions from ASI Charanjit Singh, opposes the regular bail while contending that no ground is made out for granting concession of regular bail.

I have heard learned counsel for the parties.

Keeping in view the fact that the investigation is complete and the challan has already been presented, coupled with the fact that the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength and not taking up regular hearing matters, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

July 22, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No