

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

CRM-M-54056 of 2019

DATE OF DECISION : 28.09.2020

Sukhpal Singh @ Sonu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

The petitioner is seeking regular bail in case FIR No.39 dated 15.04.2019 under Section 22 of NDPS Act, registered at Police Station Nahianwala, District Bathinda.

2. Per FIR, on 15.04.2019, a police party apprehended petitioner along with his accomplice on a motorcycle bearing registration No. PB-03-AM-5428. From them, 2000 tablets of Cavilodol 100 SR containing Tramadol Hydrochloride were recovered, without any permit or license.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the case as nothing was recovered from him. He was pillion rider of the motorcycle from where the alleged recovery of intoxicant tablets has been made. He further submits that investigation is over and challan has been presented in the Court. The petitioner is in custody since 15.04.2019. He further submits that there is no likelihood of trial commencing or concluding any time soon, due to COVID-19 pandemic.

4. Learned counsel further submits that co-accused namely Deepak, has already been granted the concession of regular bail by this Court vide order dated 28.08.2020 passed by this Court in CRM-M-19105 of 2020 and he seeks parity on the same ground.

4. Notice of motion.

5. Mr. Jagmohan Singh Ghuman, DAG, Punjab, who has joined the proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State of Punjab and does not controvert that investigation in the matter is already over and challan has been presented.

7. Having heard learned counsel for the petitioner, as well as learned State counsel, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars since investigation is already over and challan has been filed. The petitioner is stated to be in custody since 15.04.2019. The trial is not likely to commence or conclude any time soon on account of current pandemic conditions.

7. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaq Magistrate/ Duty Magistrate.

SEPTEMBER 28, 2020
Shalini

(ARUN MONGA)
JUDGE

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