

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

**CRM-M No.54458 of 2019 (O&M)
Date of Decision.22.07.2020
(Heard through VC)**

Lakhwinder singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Mikhail Kad, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

CRM No.16053 of 2020

Prayer in the application is for preponment of the bail application, which is now listed for 06.08.2020.

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.54458 of 2019

This is a petition that has been filed for grant of regular bail in case FIR No.31 dated 15.06.2019 under Section 22 of NDPS Act, 1985 registered at Police Station Dharamgarh, District Sangrur.

Counsel for the petitioner herein would contend that provisions of Section 50 of the NDPS Act are not complied with and moreover, the co-accused has already been granted bail by this Hon'ble Court vide order dated 16.12.2019 passed in CRM-M No.39333 of 2019. He further contends that the petitioner is in custody since 15.06.2019. The investigation is complete and the challan has already been presented,

therefore, the petitioner is entitled to concession of bail.

Learned counsel appearing for the respondent-State opposes the regular bail while contending that no ground is made out for granting concession of regular bail. However on a specific query raised by this Court whether provisions of Section 50 of the NDPS Act are complied with or not, counsel for the respondent-State, on instructions from SI Ram Singh, answered in negative.

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