

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-54476-2019 (O&M)  
Date of decision: 07.08.2020

Gurmeet Singh @ Jagmeet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Sandhu, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.59 dated 02.04.2019 under Section 22 of NDPS Act, registered at Police Station Sangat, District Bathinda.

Learned counsel for the petitioner submits that the FIR was registered at the instance of ASI Manjit Singh with the allegations that he along with other police officials was present at a barrier, when one person was seen coming on feet. On seeing the police party, he thrown a yellow coloured bag on side of the road, from which, strips of intoxicant tablets had come out. The said person was apprehended by ASI Manjit Singh and on seeing the intoxicant tablets, he was investigated and told his name as Gurmeet Singh. Thereafter, information was sent to the police station for taking action. The second Investigating Officer came at the spot and on checking the bag, 1370 intoxicant

tablets of Tramadol Hydrochloride tablets TRICERS-SR. 100 mg were recovered. It is further submitted that the petitioner is in custody for the last 01 year and 04 months; he is not involved in any other case and in view of COVID-19 situation, the trial is not proceeding. It is thus submitted that it will be a debatable issue during the course of trial whether provisions of Section 50 of NDPS Act needs to be applied, as personal search of the petitioner was also conducted.

Learned State counsel has filed the custody certificate dated 06.08.2020 in the Court today and as per this custody certificate, the petitioner is in custody for the last about 01 year and 04 months. It is further submitted that three prosecution witnesses have been examined so far and the trial is still at the stage of recording the prosecution evidence.

Without commenting anything on merits of the case, considering the custody of the petitioner and his non-involvement in any other case under the NDPS Act and also in view of the COVID-19 situation, due to which, trial is not proceeding, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

07.08.2020  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No