

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

**CRM-M No.3106 of 2020 (O&M)
Decided on: 10.02.2021**

Hardev Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Sushant Kareer, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.167 dated 14.12.2018, for offence punishable under Sections 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act'), registered at Police Station Payal, District Ludhiana.

Counsel for the petitioner has argued that as per the allegations in the FIR, 3,000 tablets of Tramadol was recovered from the petitioner. It is further submitted that the petitioner is not involved in any other case and out of 10 prosecution witnesses only 02 PWs have been examined so far.

Counsel for the State on instructions from the Investigating Officer, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case and considering the fact that the petitioner is in custody for the last 01 year

05 months and 05 days; only 02 PW have been examined so far; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is partly allowed and the petitioner is directed to be released on interim bail till 10.06.2021 subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

10.02.2021	(ARVIND SINGH SANGWAN)	
<i>yakub</i>	JUDGE	
	Whether speaking/reasoned	Yes/No
	Whether reportable:	Yes/No