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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.7602 of 2021 (O&M)
Decided on: 28.04.2021

Jagsir Singh @ Jagga

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. M.K. Dhot, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this 2nd 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.93 dated 25.07.2019, for offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act') registered at Police Station Longowal, District Sangrur.

Counsel for the petitioner has submitted that the petitioner is not involved in any other case and as on today, he has undergone 01 year and 09 months of total custody. Counsel for the petitioner has relied upon the order dated 27.01.2021 passed in CRM-M No.13990 of 2020 vide which the co-accused of the petitioner was granted the concession of interim bail considering the fact that he is in long custody and due to COVID-19 situation, the trial is not proceeding. Lastly, it is argued that as on today, there is no improvement in the situation and the

CASE HEARD THROUGH VIDEO CONFERENCING

trials are again being adjourned.

Counsel for the State has filed the Custody Certificate today in the Court and could not dispute the factual position but opposed the prayer for bail. It is also not disputed that no prosecution witness has been examined so far and the petitioner is in long custody.

Without commenting anything on merits of the case and considering the fact that the petitioner is in custody since 25.07.2019; he is not involved in any other case; 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 31.07.2021 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.

(ARVIND SINGH SANGWAN)
JUDGE

28.04.2021

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No