

In virtual Court

CRM-M-8862-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8862-2021 (O&M)
Date of decision: 03.03.2021

Angrej Singh @ Geji

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. H.S. Oberoi, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.110 dated 25.10.2019 under Section 15/61/85 of NDPS Act, registered at Police Station Sanour, District Patiala.

Learned counsel for the petitioner relies upon the order dated 21.12.2020 passed in CRM-M-13040-2020, vide which co-accused Phool Chand @ Chamkila has been granted the concession of interim bail. The operative part of the order reads as under: -

“...Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner was the driver of the truck,

who was arrested on 25.10.2019 and a commercial quantity of poppy husk was recovered.

Learned counsel for the petitioner further submits that petitioner is in judicial custody for the last about 01 year and 02 months and he is not involved in any other case under the NDPS Act.

Learned counsel further submits that though the challan was presented on 11.04.2020, however, till no prosecution witness has been examined due to COVID-19 situation and the conclusion of trial is likely to take a long time.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting on the merits of the case, considering the fact that petitioner is in judicial custody for the last about 01 year and 02 months; he is not involved in any other case under the NDPS Act and due to COVID-19 situation, the conclusion of trial is likely to take some time, the present petition is disposed of and the petitioner is ordered to be released on interim bail till 31.05.2021, on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned...”

Learned counsel for the petitioner has submitted that the petitioner

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was conductor of the truck and till date, no prosecution witness has been examined and the petitioner is in custody for the last 01 year and 04 months.

Learned State counsel could not dispute the fact that till date, no prosecution witness has been examined.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that though the trial Court has started physical working, however, due to long pendency of the cases, I deem it appropriate to grant the concession of interim bail to the petitioner.

Accordingly, this petition is disposed of and the petitioner is directed to be released on interim bail till 31.05.2021, subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

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

03.03.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No