

CRM-M-10006-2021

Date of decision: 06.04.2021

Gurtej Singh @ Teji

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Gopal Singh Nahel, Advocate
for the petitioner.Mr. Jagmohan Ghuman, DAG, Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner-Gurtej Singh @ Teji has come up in this second regular bail application under Section 439 Cr.P.C. (first one having been rendered infructuous) in a case bearing FIR No.153 dated 07.12.2019 under Sections 22/61/85 of the NDPS Act registered at Police Station Khanauri, District Sangrur.

The brief allegations are that the police apprehended the

petitioner while riding on a motorcycle and in conscious possession of 1500 intoxicating tablets containing Alprazolam salt were recovered.

Learned counsel for the petitioner *inter alia* contends that petitioner is in custody for more than 01 year 03 months and 27 days and the trial is yet to begun and has placed reliance on CRM-M-16336-2020 (O&M) decided on 29.07.2020 titled as '**Sanjay Kumar versus State of Punjab**', CRM-M-15530-2020 (O&M) decided on 24.07.2020 titled as '**Sagar Arora versus State of Punjab**', CRM-M-19285-2020 decided on 06.08.2020 titled as '**Taranjit Singh @ Tarni versus State of Punjab**', CRM-M-46318-2019 decided on 17.12.2019 titled as '**Jagsir Singh @ Seera versus State of Punjab**' and CRM-M-16824-2020 decided on 30.06.2020 titled as '**Raj Kumar versus Narcotic Control Bureau, Chandigarh**', to seek parity.

The learned State counsel does not displace the facts but has strongly opposed the grant of bail on the ground of heinousness of the offence.

Appreciating the submissions, admittedly, the petitioner is behind the bars for almost one year and four months. In light of the admission of the State, the petitioner is not facing any other such criminal case. Keeping in view the present COVID-19 pandemic situation and the likelihood that the trial is going to be prolonged impels this Court to allow the present petition. The present petition is

allowed.

Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty/Illaq Magistrate/Trial Court.

06.04.2021
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No