

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-11586-2021

Date of decision: 18.03.2021

Manjeet Singh @ Raja

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Yashpal Thakur, Advocate,
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Manjeet Singh @ Raja, stated to be aged 24 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.131 dated 30.04.2020, registered under Section 21 and 22 of Narcotic Drugs and Psychotropic Substances Act (for short 'the Act') and under Section 188 of IPC at Police Station Mandi Gobindgarh, District Fatehgarh Sahib, Punjab.

Learned counsel for the petitioner based on pleadings in the petition submits that the petitioner has been falsely implicated in the present case. He further submits that this Court vide order dated 14.07.2020, had granted interim bail to the petitioner till the receipt of FSL report. Learned counsel for the petitioner then submits that after the receipt of FSL report,

the petitioner had surrendered. Learned counsel, however, submits that in the recovery, 15 intoxicants injections of Avil and 10 grams of heroin were allegedly recovered. He further submits that this would not fulfil the ingredients of sections of NDPS Act.

Learned State counsel, on instructions from Sub Inspector Ajmer Singh, submits that challan in this case was presented on 10.12.2020. She then submits that the charges were framed on 25.02.2021. There are total of 17 witnesses, but, none has been examined. The next date before the trial Court is 06.04.2021. She further submits that the petitioner prior to this was involved in another case of NDPS Act, which is still under trial.

Faced with the situation, learned counsel for the petitioner submits that he has instructions from the petitioner and his family members that in order to show their *bona fides*, the petitioner is ready and willing to deposit FDR worth Rs.2 lacs (in the name of petitioner or any of his relative) before the Duty Magistrate/trial Court, with an undertaking that he would not involve himself in any other case after the present case and if, he is found involved and found guilty in any other subsequent case (today onwards), the above said FDR can be forfeited and deposited in the Government Treasury.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take time, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that

anything observed herein shall not be construed as an expression on merits of the case.

In addition to the bail/surety bonds, in pursuance to the offer made by counsel for the petitioner, the petitioner would submit the FDR worth Rs.2 lacs (in the name of petitioner or any of his relative) with an undertaking that he would not involve himself in any other case after the present one and in case, he is found involved and found guilty in any other subsequent case (today onwards), the above said FDR worth Rs.2 lacs, shall be forfeited and deposited in the Government Treasury. The same shall be without prejudice to defence of the petitioner before the trial Court.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

18.03.2021

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No