

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
208) CRM-M-8522 of 2019 (O&M)
Date of Decision: 25.01.2021

Jaspal Singh alias Jassa

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Naveen Sharma, Advocate, for the petitioner.
Mr. Amit Mehta, Sr. DAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conferencing.

CRM no.1609 of 2021

Pursuant to the last order of this court, this application has been filed seeking to place on record the order dated 13.09.2018 passed by this court (a coordinate Bench) in the case of a co-accused of the petitioner, Sucha Singh, he having filed CRM-M-12729 of 2018.

Vide the said order that co-accused was admitted to bail on the ground that he had been in custody for about 8 months at that stage, with the trial just having begun.

The application is allowed, with the aforesaid order ordered to be taken on record as Annexure P-3 with the accompanying petition.

Main petition

By this petition, filed under the provisions of Section 439 of the Cr.P.C, the petitioner seeks the concession of 'regular bail', upon FIR no.64, dated 30.06.2015, having been registered at Police Station Subhanpur, District Kapurthala, alleging therein the commission of offences punishable under Sections 22, 61 and 85 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner already being on interim bail due to the Covid-19 pandemic and there being no report of him having misused the concession and he having been admitted to such bail after having remained in custody for about 2 years and 2 months, and looking at the circumstances where admittedly he was not caught at the spot and was only alleged to have run away from the spot, though he is stated to have been driving the car (which the petitioner denies) and with the car also not belonging to the petitioner (from which 260 grams of heroin were recovered as per the case of the investigating agency), the interim order passed 'deserves' to be made absolute.

Upon query to learned State counsel, he does not deny that the car in question belongs to the co-accused of the petitioner, Sucha Singh, who has been admitted to bail.

Without making any comment on the merits of the case, this petition is allowed, with the order dated 28.09.2020 admitting the petitioner to interim bail, made absolute on the same terms and conditions.

25.01.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No