

In virtual Court

CRM-M-19328-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19328-2021 (O&M)
Date of decision: 27.05.2021

Varinder Singh @ Vinda

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of regular bail in FIR No.107 dated 04.07.2019 under Sections 21, 29 of NDPS Act, registered at Police Station Goindwal Sahib, District Tarn Taran; earlier one i.e. CRM-M-16216-2020 was dismissed as withdrawn on 05.11.2020.

Learned counsel for the petitioner submits that new ground for filing this second petition is that the petitioner is in custody since 08.07.2019; charges were framed on 04.02.2021 and out of 13 prosecution witnesses, none has been examined so far and trial is delayed due to COVID-19 situation in the country. It is further submitted that it will be a matter of trial whether the police

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party has conducted the investigation in accordance with the provisions of NDPS Act or not, as he has cited certain irregularities.

Learned State counsel has filed the custody certificate dated 27.05.2021 in the Court today and custody of the petitioner is not disputed, however, it is submitted that the petitioner is involved in some other cases, out of which, in one case, he is in custody for the last more than 02 years.

After hearing learned counsel for the parties, without commenting anything on merits of the case, considering the fact that the trial is being delayed due to COVID-19 situation and the petitioner is in custody for the last 01 year, 10 months and 18 days, this petition is disposed of and the petitioner is directed to be released on interim bail till 11.10.2021 subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq 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

27.05.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No