

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M No.17764 of 2020 (O&M)
Decided on: 10.02.2021**

Sukhpal Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vikas Arora, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.166 dated 29.08.2019, for offence punishable under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act'), registered at Police Station Sadar Patiala, District Patiala.

Counsel for the petitioner has submitted that even on an earlier occasion, vide order dated 22.12.2020, considering the deteriorating health condition, the petitioner was granted interim bail for a period of 15 days and after availing the said relief, the petitioner has surrendered back before the Jail Authorities. It is further submitted that the petitioner is in custody since 01 year and 05 months and out of 14 prosecution witnesses, only 02 PWs have been examined so far.

Counsel for the State on instructions from the Investigating Officer, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case and considering the fact that the petitioner is in custody for the last 01 year and 05 months; no PW has been examined so far; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is partly allowed and the petitioner is directed to be released on interim bail till 10.06.2021 subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

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

10.02.2021
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No