

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-17681 of 2020 (O&M)
Date of decision : January 29, 2021

Sunny

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. L.S.Sekhon, Advocate, for the petitioner
Mr. Jagmohan Ghuman, DAG, Punjab

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner accused Sunny has come up in this second regular bail application (the first one having been declined by this Court on 8.6.2020) in case FIR No. 193 dated 15.11.2019, under Sections 22, 25 and 29 of NDPS Act, 1985, Police Station Barnala.

The brief allegations are that the police apprehended the accused-petitioner on 15.11.2019 on the basis of a secret

information and from the claimed conscious possession of the petitioner intoxicant tablets which were subsequently opined to be Clovidol-100 SR (Tramadol Hydrochloride) were recovered.

Learned counsel for the petitioner inter-alia contends that the petitioner is behind the bars for more than one year and two months and is not facing any similar criminal charge.

The learned State counsel though does not displace the facts but has strongly opposed the grant of bail in view of the heinousness of the offence.

Be so as it may. It is duly conceded that the petitioner is not facing any similar allegations including any other case. The fact that the petitioner is behind the bars since more than one year and two months and the prosecution has not yet examined even a single witness and there is every likelihood that due to COVID-19 pandemic situation, the same is likely to be prolonged. In view of the similar situation, this Court in the cases of CRM-M-16336-2020 (O&M) decided on 29.7.2020, titled as Sanjay Kumar versus State of Punjab; CRM-M-15530-2020 (O&M) decided on 24.7.2020, titled as Sagar Arora versus State of Punjab; CRM-M-19285-2020 decided on 6.8.2020 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 30.6.2020, titled as Raj Kumar veruss Narcotic Control Bureau, Chandigarh has allowed bail in similar circumstances and thus, in the light of principle of parity, impels this Court to grant similar relief to the petitioner especially in view of the fact that there is no other similar case is pending against the petitioner. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition stands disposed off accordingly.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

January 29, 2021
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No