

In virtual Court

CRM-M-23077-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23077-2020 (O&M)

Date of decision: 07.01.2021

Pargat Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.N. Ganeriwala, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.289 dated 28.12.2019 under Section 22 of NDPS Act, registered at Police Station City Moga, District Moga.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner was apprehended by the police on the basis of secret information and recovery of 1700 intoxicant tablets was effected. It is further submitted that the petitioner is in custody for the last 01 year and 07 days and is not involved in any other case under NDPS Act. It is also submitted that though the challan stands presented on 30.05.2020, however, till date, charges are not framed, therefore, no prosecution witness could be examined.

Learned State counsel, on the basis of custody certificate dated

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06.01.2021 filed in the Court today, has not disputed the factual position, however, on the basis of affidavit of DSP (C), Moga, has submitted that FIR was registered and recovery was effected in accordance with law. It is also stated that as per FSL report, tramadol hydrochloride salt was found in the tablets.

After hearing learned counsel for the parties, without commenting upon merits of the case and considering long custody of the petitioner and the fact that he is not involved in any other case under NDPS Act, this petition is disposed of and the petitioner is directed to be released on interim bail till 31.05.2021 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

07.01.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No