

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

CRM-M-30449-2021 (O&M)

Date of Decision:09.08.2021

Harpreet Singh @ Raja

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This is the 5th petition filed by the petitioner seeking benefit of regular bail pending trial in case FIR No.064, dated 04.04.2018, under Section 21 of the NDPS Act, registered at Police Station City Patti, District Tarn Taran.

Counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 252 grams of heroin was effected from the petitioner.

Petitioner having evaded the process of law was declared a proclaimed offender on 13.11.2019.

Be that as it may, he was arrested on 16.01.2020 and has faced incarceration ever since.

Mr. V.G. Jauhar, learned Sr. DAG, Punjab on being put a query

as regards status of trial informs that out of 8 prosecution witnesses cited, 2 have been examined till date. In the same breath, he would concede that similar was the position even on 24.09.2020 when the pervious petition filed by the petitioner seeking regular bail i.e. CRM-M-28678-2020 had been declined.

Apparently, in view of the current Covid pandemic, the trial has not made any progress. The same would take time to conclude.

The alleged recovery from the petitioner is 252 grams of heroin and which would fall under the category of commercial quantity being in excess of 250 grams.

It is conceded that the petitioner is not involved in any other case under the NDPS Act.

In an overview of the matter and without opining on the merits of the case, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

Disposed of.

09.08.2021*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |