

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

(Sr. No. 218)

CRM-M No. 25377 of 2020 (O&M)

Date of decision : 15.03.2021

Girwinder Singh @ Bindi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. B. S. Jatana, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C.
for the grant of regular bail in FIR No.01 dated 01.01.2020 under Section
22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered
at Police Station City-2, district Mansa.

The petitioner is being prosecuted for having been found in
illegal possession of 17 vials of Wincirex.

Learned counsel for the petitioner submits that the petitioner has
been falsely implicated in the case; the petitioner has no other criminal case
pending against him; report under Section 173 Cr.P.C. has already been
filed and therefore the petitioner is not in a position to influence the
investigation; the petitioner is in custody since 01.01.2020 and that the
petitioner's trial, which is yet to commence, will take a long time to
conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner was found in illegal possession of 17 vials of Wincirex and if he is released on bail he may indulge in similar offences.

The petitioner is in custody since 01.01.2020; there is no other criminal case pending against him; report under Section 173 Cr.P.C. has already been filed and therefore the petitioner is not in a position to influence the investigation and since none of the prosecution witness has been examined the petitioner's trial is likely to take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Mansa, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

15.03.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No