

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-32856-2020
Decided on : 28.01.2021

Jaspreet Singh @ Jassa

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lupil Gupta, Advocate
for the petitioner.

Mr. H.S.Multani, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.111 dated 17.07.2019 registered under Section 22 of NDPS Act, 1985 at Police Station Sadar Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question as recovery of 750 tablets of Marka Clovidol – 100 SR Tramadol Hydrochloride tablets 100 mg (totalling 304 grams) has been shown to be effected from the petitioner. It has also been contended that it was allegedly a case of chance recovery and the said recovery is marginally higher than the commercial. The petitioner has been in custody since 17.07.2019 and only two out of 12 prosecution witnesses cited have been examined so far. Hence, there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual

aspect of the submissions made by learned counsel for the petitioner. He on instructions from ASI Baljinder Singh has submitted that the delay in the trial has been occurred on account of outbreak of Covid-19. On a pointed query put to learned State counsel, he has apprised the Court that the petitioner is not involved in any other case much less under the NDPS Act.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 17.07.2019, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

28.01.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No