

214-A

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-37003-2020

Date of Decision: 05.01.2021

Satnam Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

**Manoj Bajaj, J. (Oral)**

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.128 dated 26.06.2020 registered under Sections 15 and 25 NDPS Act, 1985 at Police Station Sangat, Bathinda. The petitioner is in custody since his arrest on 07.07.2020.

As per prosecution, on 26.06.2020, 90 kgs of poppy husk was recovered from truck tralla bearing No.RJ-32GA-3929 in the area of village Dommwali while the truck was seen abandon and no accused was present at the spot.

Learned counsel for the petitioner contends that the alleged recovery of contraband (90 Kgs of poppy husk) was effected from a truck, which is owned by co-accused Balbir Singh. He contends that as per prosecution, the other co-accused, namely, Ranjit Singh was the driver of the said vehicle and the petitioner has been indicted as an accused on his disclosure statement. He further contends that the investigation of the case

is complete and, therefore, his further custody may not be justified. He prays for bail during pendency of the trial.

On the other hand, learned State counsel assisted by ASI Gurmail Singh, has opposed the prayer on the ground that the recovered contraband would fall within the ambit of commercial quantity. He, on instructions, states that the petitioner is not involved in any other case of similar nature and the investigation of the case is complete, however the charges are yet to be framed.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is likely to take some time to conclude. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial. Admittedly, the petitioner is presently confined in judicial custody since 07.07.2020, therefore, his further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Bathinda.

The petition is allowed.

05.01.2021  
*Jasmine Kaur*

**(MANOJ BAJAJ)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

|     |    |
|-----|----|
| Yes | No |
| Yes | No |