

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M- 38042-2020 (O&M)

Date of Decision: January 07, 2021

Kuldeep Singh alias Mintu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manish Kumar Singla, Advocate
for the petitioner.
Ms. Rashmi Attri, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 20 dated 19.02.2020, under Sections 22, 29 of NDPS Act, 1985, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner contends that the petitioner herein is in custody in the aforesaid FIR since 26.02.2020. It is further contended that the petitioner has been falsely implicated in the present case and that the petitioner was nominated in the present FIR on the statement given by the co-accused-Gurcharan Singh alias Channi, who has already been allowed regular bail by the Co-ordinate Bench in CRM-M-13260-2020 dated 10.07.2020. It is argued that investigation is complete and 33 witnesses have been cited and due to pandemic COVID-19, the trial is taking long time. Learned counsel further relies upon the judgment rendered by the Co-ordinate Bench in the case of '*Balraj Singh vs. State of Punjab*'

in *CRM-M-28942-2020* decided on *05.10.2020* and '*Honey Singh vs. State of Punjab*' in *CRM-M-8983-2020* dated *05.11.2020* while contending that the petitioner is ready to prove his bona-fides and undertake that he will not involve himself in any other case.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that there are two other FIRs pending against the petitioner, who has become a habitual offender.

I have heard learned counsel for the parties.

Since, in view of the restricted working of the Courts due to pandemic COVID-19 situation and in view of the facts that the trial is likely to take time. The petitioner herein has been in custody since 26.02.2020 and in view of the fact that the investigation is complete and the challan stands presented and the co-accused has already been granted bail, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on bail on his execution of adequate personal bond and heavy surety amounting to Rs.3 lacs to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

January 07, 2021

seema

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes/No
Yes/No