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

CRM-M-38422-2020

Date of Decision: 25.01.2021

Anokh Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasvir Singh Dhaliwal, 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.95 dated 17.07.2020 registered under Sections 22 and 27 NDPS Act, 1985 at Police Station Makhu, District Ferozepur, Punjab. The petitioner is in custody since his arrest on 17.07.2020.

As per FIR, on 17.07.2020, when the police party was coming back from village Peer Mohammad to Baet, at GT Road on river Bridge of Peer Mohammad in connection with patrolling duty, two persons were seen coming on Platina motor cycle without number, who perplexed on seeing the police party and started turning motor cycle back, and the pillion rider threw the transparent polythene bag, however they were apprehended. They disclosed their names as Gurpreet Singh s/o Anokh Singh (driver) and Anokh Singh (petitioner). Two boxes marked Clovidol-100 SR were seen in polythene bag thrown by them.

Learned counsel for the petitioner contends that the petitioner is

not involved in any other case of similar nature and is presently 73 years old. He submits that the investigation of the case is complete, however the trial is yet to commence. He prays that the petitioner be released on bail during pendency of the trial.

On the other hand, learned State counsel assisted by SI Lal 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.

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 17.07.2020, 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 Ferozepur.

The petition is allowed.

25.01.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No