

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

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CRM-M-43822-2020
Decided on 06.09.2021

Daljinder Singh @ Jindu

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr.G.S.Nahel, Advocate, for the petitioner.

Mr.J.P.Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail in case FIR No.145 dated 10.07.2019 under Sections 22, 25 of NDPS Act, 1985, Police Station Nathana, District Bathinda.

This is the second petition for grant of regular bail as earlier one was dismissed as withdrawn.

Learned counsel for the petitioner submits that new ground for filing this petition is that as on today petitioner has undergone 2 years 1 month of judicial custody despite the fact that charges were framed on 18.01.2020 and till date out of 15 prosecution witnesses, none has been examined as delay is due to Covid-19 pandemic. Learned counsel submits that as per allegation in the FIR, the police party while on patrol duty checking suspicious person noticed that a white colour car stopped near the police barricade and on seeing the same, the petitioner tried to turn the vehicle back. However, its engine got switched off and on the basis of suspicion, a person was nabbed. He discloses his name as Daljinder Singh @ Jindu. On the front left seat of the car strips of tablets kept in a

plastic bag was recovered.

The information was given to DSP concerned who came at the spot and gave an option to be searched before a Gazetted Officer or Magistrate. Thereafter, on search of the bag, 17950 tablets were recovered.

The learned State counsel on the basis of the affidavit of DSP, Sub Division Bhucho, District Bathinda, has submitted that police has conducted the investigation in a proper manner and the recovery of commercial quantity was recovered from the petitioner. However, it is submitted that due to Covid-19 pandemic, no prosecution witness has been examined so far. Learned State counsel further submits that the petitioner is not involved in any other case under the NDPS Act.

After hearing counsel for the parties and considering the fact that petitioner is in custody for the last more than 2 years; not involved in any other case ; despite the charges were framed on 18.01.2020 and till date no prosecution witness has been examined and also in view of the fact that trial is likely to take long time to its own conclusion, petitioner is ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate concerned.

(ARVIND SINGH SANGWAN)
JUDGE

06.09.2021
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>