

In virtual Court

CRM-M-47851-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47851-2019 (O&M)
Date of decision: 08.01.2021

Bhagwant Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.K. Gupta, Advocate
for the petitioner.

Mr. Jagmohan S. Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-14-2021

For the reasons stated in the application, same is allowed and date of hearing is preponed from 13.01.2021 to today.

CRM stands disposed of.

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This is 2nd petition for grant of regular bail in FIR No.66 dated 27.08.2018 under Section 22 of NDPS Act and Section 29 of NDPS Act (added later on), registered at Police Station Badali Ala Singh, District Fatehgarh Sahib; earlier one was dismissed as withdrawn on 27.07.2019.

Learned counsel for the petitioner submits that the petitioner is in custody since 27.08.2018 i.e. for a period of about 02 years and 04 months and

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the trial is not proceeding further due to COVID-19 situation and out of total 14 prosecution witnesses, only 04 PWs have been examined so far. It is further submitted that this petition is pending since 2019 and could not be disposed of.

Learned State counsel, on instructions from ASI Sahab Singh, has not disputed the factual position that only 04 PWs have been examined so far, however, it is submitted that as per the FIR, recovery is of commercial quantity. Learned State counsel, on the basis of custody certificate dated 07.01.2021 filed in the Court today, could not dispute that the petitioner is not involved in any other case.

After hearing learned counsel for the parties, without commenting upon merits of the case and considering the aforesaid submissions made by learned counsel for the parties, this petition is disposed of and the petitioner is directed to be released on interim bail till 31.05.2021 subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

08.01.2021
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No