

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205

CRM-M-3524-2020

DATE OF DECISION: 01.10.2020

SONI SINGH

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Kamaldip Singh Sidhu, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.50 dated 20.07.2019, under Section 15 of the NDPS Act, 1985, registered at Police Station Ghagga, District Patiala.

Learned counsel for the petitioner contends that the allegations in the FIR are that 80 kg poppy husk was recovered from the dickey of the car being driven by the petitioner. Learned counsel, *inter alia*, contends that there were four persons who were travelling in the car and in the event of the recovery of poppy husk being divided into four persons, it shall fall below the threshold of commercial quantity. He also contends that the co-accused Manjeet Singh and Harbans Singh have been granted regular bail by this Court in CRM-M-42613 of 2019 on 15.10.2019 and in CRM-M-13799 of 2020 on 17.06.2020 respectively. The petitioner is in custody for over 1 year and 2 months and he is not involved in any other case under the NDPS Act.

Learned State counsel states that as per custody certificate, the petitioner is in custody for 1 year, 2 months and 8 days. He, upon instructions from ASI Kulwant Singh, contends that no prosecution witness has been examined.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 1 year and 2 months, co-accused have been granted bail, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

01.10.2020.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No