

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-6114-2020

DATE OF DECISION: 07.10.2020

PRITPAL SINGH

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Arjun Lakhanpal, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.73 dated 31.07.2018, under Section 15 of the NDPS Act, registered at Police Station Ajitwal, District Moga.

Learned counsel for the petitioner, *inter alia*, contends that it is alleged that total 58 Kgs of poppy husk in 03 plastic bags were recovered from the rear seat of the car parked in his house. He further contends that PW-1 Jugraj Singh in his deposition before the Trial Court did not support the prosecution case and stated that he was neither joined as an independent witness by the police nor any recovery was effected in his presence and consequently, he was declared hostile. He further contends that the petitioner has been falsely implicated in other cases. He also contends that co-accused namely Santokh Singh has been granted regular bail by this Court in CRM-M-24193 of 2020 on 02.09.2020. The petitioner is also involved in another case under the NDPS Act but no recovery was effected from the petitioner and he

is on bail in that case. He also contends that as per custody certificate, the petitioner is in custody for 1 year, 7 months and 25 days.

Learned State counsel upon instructions from ASI Faily Singh contends that 3 out of 15 prosecution witnesses have been examined. He further contends that the petitioner is also involved in other cases, out of which, he was convicted in a case under Section 174-A IPC and a case under the NDPS Act is also pending against the petitioner.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the co-accused has been granted bail, the petitioner 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.

The petitioner shall appear before the Police Station Ajitwal, District Moga every alternate Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

07.10.2020.

SwarnjitS

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