

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

209

CRM-M-5863-2020

Date of decision : 07.10.2020.

Mangal Singh @ Manga

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Jaspreet Singh Brar, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.200 dated 19.08.2019, under Section 22 of the NDPS Act, registered at Police Station Faridkot, District Faridkot.

Learned counsel for the petitioner contends that the allegations against the petitioner are that intoxicant tablets containing Tramadol with a total weight of 280 grams were allegedly recovered from the petitioner. He further contends that earlier Tramadol was not covered under the NDPS Act and only after the notification issued on 26.04.2018, Tramadol has been brought within the ambit of the NDPS Act. He also contends that the petitioner is in custody for over one year and one month. The petitioner is not involved in any other case under the NDPS Act except FIR No.46 dated 11.04.2015, under Sections 22/61/85 of the NDPS Act at Police Station Kotakpura wherein he has been acquitted at the conclusion of the trial. He has relied upon the judgment of the Coordinate Benches of this Court in the case of Kashmir Singh v. State of

Punjab, in CRM-M No. 7437 of 2019, decided on 21.02.2019, the petitioner therein had been granted regular bail, as he was in custody for over seven months and the judgment in the case of Karaj Singh v. State of Punjab, in CRM-M No. 23811 of 2018, decided on 09.07.2018, the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel, upon instructions from SI Harwinder Singh, contends that although challan has been filed but none of the prosecution witnesses 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 one year and one month; he is not involved in any other case under the NDPS Act; 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

October 07, 2020
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No