

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

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CRM-M-10856-2020

Date of decision : 27.08.2020.

Navpreet Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Pardeep Kumar Kapila, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.89 dated 16.07.2019, under Section 22 of the NDPS Act, 1985, registered at Police Station City-2, Mansa, District Mansa.

Learned counsel for the petitioner contends that the allegations in the FIR are that a plastic bag containing 14 vials of Wincirex (Codeine Phosphate) and 350 tablets of Carisoma was recovered from the petitioner. He further contends that Carisoma is not covered under the NDPS Act while the total contents of the cough syrup are 1400 ml. which is a little higher than the threshold of 1000 ml. (Codeine Phosphate) as commercial quantity. He also contends that the petitioner had earlier been granted interim bail by this Court in CRM-M-40538 of 2019, on 24.10.2019, till the receipt of the FSL report and on its receipt, he had promptly surrendered before the trial Court. He also submits that the petitioner is 22 year of age and is in custody for a total period of more than nine months.

Learned State counsel upon instructions contends that the petitioner is also involved in another case under the NDPS Act and as per the custody certificate, he is on bail on that case. He also contends that the 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, who is 22 year of age, is in custody for over 09 months, 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

August 27, 2020
sonia gugnani

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