

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

CRM No. M-11626 of 2020
Date of decision 29.09.2020

Rachpal Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vipul Jindal, Advocate,
for the petitioner.

Mr. Suveer Shoekand, Addl.A.G. Punjab

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.22 dated 26.01.2019, under Section 21 of the NDPS Act, registered at Police Station Chhehrata, District Amritsar.

Learned counsel for the petitioner states that the allegations in the F.I.R against the petitioner is that recovery of 262 grams of heroin was affected from him along with 01 pistol and 90 cartridge rounds. The petitioner is in custody from last more than 01 year and 02 months.

Learned State counsel states that as per custody certificate dated 29.09.2020, the petitioner has undergone 01 year 07 months and 26 days. Two cases are pending against him i.e F.I.R No. 05 dated 11.01.2011 under Section 336/341/506/34 IPC and Sections 25/54/59 of Arms Act and F.I.R No. 164 dated 13.10.2016 under Section 307/34 IPC and Section 25/54/59 of Arms Act. However no case under NDPS is pending against the petitioner.

Heard.

Keeping in view the COVID 19 situation and the fact that trial will take some time for its conclusion, this court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar.

However, if the petitioner is again found indulging under NDPS case, the respondent-State is at liberty to seek cancellation of the bail.

29.09.2020

G Arora

(RITU BAHRI)
JUDGE

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