

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

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(PROCEEDINGS THROUGH V.C.)

CRM-M-12536-2020

DATE OF DECISION: JULY 30, 2020

Sukhjot Singh @ Mintu

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASHI

Present: Mr. Joginder Pal Devgan, Advocate,
for the petitioner.

Mr. B. S. Sewak, Addl.Advocate General, Punjab,
for the State.

AUGUSTINE GEORGE MASHI, J. (ORAL)

Learned counsel for the State, on instructions from ASI Gurpreet Singh, Police Station Chheharta, District Police Commissionerate Amritsar, could not dispute the statement of counsel for the petitioner that the recovery, which has been effected in the other NDPS cases against the petitioner, are of small quantity.

It is the contention of counsel for the petitioner that no recovery has been effected from the petitioner. The recovery, if any, and that too of 7 grams of heroin, is from the co-accused. His contention is that the petitioner was arrested on 22.02.2020 and is in custody since then, with the trial not proceeding further because of prevailing circumstances and, thus, he prays that the petitioner be granted the concession of bail.

Learned counsel for the State, on the other hand, contends that although recovery, which has been effected from the petitioner in the other two cases is of small quantity and there is no recovery in the present case but he is involved in other cases as well. He further states that in case the petitioner is granted the concession of bail, there is every likelihood of he indulging into same type of activities and commit crime as the track record indicates. Prayer has, thus, been made for rejecting the present petition.

I have considered the submissions made by counsel for the parties and having considered the aspect that no recovery has been effected from the petitioner and it is only a small quantity, which was recovered and that too from the co-accused, the petitioner, being in custody since 22.02.2020 with the trial not proceeding in the matter because of the prevailing pandemic, the present petition is allowed and the petitioner is ordered to be released on bail with a specific condition that in case he is found involved in any of the activities relatable to the NDPS Act, the present concession of bail, as has been granted by this Court, shall cease to operate qua him forthwith. Bail to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Amritsar.

July 30, 2020
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

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