

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

210/2

CRM-M-12763-2020 (O&M)

DATE OF DECISION: 10.12.2020

SUNIL KUMAR

... Petitioner (s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manish Soni, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.876 dated 17.12.2019, under Sections 21 (c) and 22 (c) of the NDPS Act, 1985, registered at Police Station Sector 7, Faridabad.

Learned counsel for the petitioner contends that neither the petitioner is named in the FIR nor any recovery has been effected from him. He further contends that the petitioner has been arraigned as an accused on the statement of the co-accused from whom 4500 tablets of Alprazolam, 1440 bottles of Rescuff containing codeine and 200 vials of ketamine were allegedly recovered. He also contends that after the arrest of the petitioner in the instant case, no recovery has been effected from him. The petitioner is not involved in any other case under the NDPS Act. He is in custody for over a year since his arrest on 20.12.2019.

Learned State counsel contends that although charges have been framed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is not named in the FIR, no recovery has been effected from him even after his arrest in the instant case, he is not involved in any other case under the NDPS Act, he is in custody for over a year, 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

10.12.2020.

SwarnjitS

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