

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

Sr. No. 203-b

**CRM-M-13610-2020**

**DATE OF DECISION: August 06, 2020**

**AKASH SANDHU @ ASHU**

**..PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Sandeep Wadhawan, Advocate, for the petitioner.  
Mr. Ajay Pal Singh Gill, DAG, Punjab.

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**SUDHIR MITTAL, J. (ORAL)**

The petitioner seeks grant of regular bail in case FIR No.318, dated 14.12.2019 registered at Police Station City Tarn Taran, District Tarn Taran, under Sections 21 & 29 of NDPS Act, 1985.

Learned counsel for the petitioner, on the basis of CCTV footage annexed as Annexure P-2, submits that the petitioner was in fact picked up from his residence in Amritsar on 12.12.2019 and has been falsely implicated in the present FIR. Section 50 of NDPS Act, 1985 was not complied with. The petitioner has been in custody since the date of registration of the FIR and the trial is not likely to be concluded at an early date. Thus, the petitioner be granted regular bail.

Custody certificate dated 10.06.2020 has been filed in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 05 months and 23 days and there are two other criminal cases pending against him, one under the NDPS Act, 1985 and one under the Arms Act, 1959.

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Learned State counsel submits that the charges have not yet been framed.

Regarding the FIR No.58, registered under Section 29 of NDPS Act, 1985, learned counsel for the petitioner submits that the petitioner was falsely implicated in the said case as well. This is evident as the petitioner was arrested in the said case while he was in custody in the instant case. He has been granted regular bail by the trial Court. Regarding the case under the Arms Act, 1959 again, the petitioner is on bail.

Learned State counsel has not made any submissions regarding CCTV footage and thus false implication cannot be ruled out. The registration of another FIR viz. No.58 under Section 29 of NDPS Act, 1985 at Police Station Gate Hakima, Amritsar would not be a bar to granting bail in the present case as no recovery was effected from the petitioner in the said case and he was involved therein while he was in custody in the present case. The trial is not likely to be concluded at an early date because even charges have not been framed as yet. Thus, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

**August 06, 2020**

*Ankur*

**(SUDHIR MITTAL)  
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No