

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

**CRM-M No. 18942 of 2020
Date of decision: 02.12.2020.**

Dara Singh Petitioner.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Parminder Singh Sekhon, Advocate, for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab, for the respondent-State.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 165 dated 26.08.2019, under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner was a pillion rider on the motorcycle and a recovery of 1100 intoxicant tablets of Clovidol 100-SR total weighing 438.9 grams was allegedly effected from the bag on the handle of the motorcycle. He also contends that the petitioner is in custody for over a year and is not involved in any other case under the NDPS Act. Learned counsel has relied upon the judgments of the Coordinate Benches of this Court in the case of Kashmir Singh v. State of Punjab in CRM-M No. 7437 of 2019 decided on

21.02.2019, the petitioner therein had been granted regular bail as he was in custody for over seven months and the judgment in the case of Karaj Singh v. State of Punjab in CRM-M No. 23811 of 2018 decided on 09.07.2018, the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel, upon instructions from SI Anita, contends that although 'challan' has been filed, but no prosecution witness has been examined. He states that the petitioner is in custody for over a year.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over a year, he is not involved in any other case under the NDPS Act; 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 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.

02.12.2020
Ramesh

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No