

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

CRM-M-20222-2020 (O&M)

Date of decision: 18.11.2020

Sanjeev Kumar @ Nannu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Aditya Pal Singh, Advocate
for the applicant-petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-27916-2020

Allowed as prayed for.

Copy of order dated 13.08.2020 passed by this Court in
CRM-M-53108-2019 is taken on record as Annexure P-5.

Main case

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 0160 dated 13.09.2019, registered under Section 22 of the NDPS Act, 1985 and Section 25 of the Arms Act, 1959 at Police Station Adampur, District Jalandhar (Rural).

Learned counsel for the petitioner submits that one of the co-accused, namely Mani, whose name was disclosed during investigation, has been granted concession of regular bail by this Court, vide order dated 18.11.2019 passed in **CRM-M-47559-2019**.

Learned counsel further submits that even another co-accused,

namely Vijay Kumar, who was apprehended along with petitioner and recovery of 980 loose intoxicant tablets containing salt of Alprazolam was effected from both of them, has also been granted concession of regular bail by this Court, vide order dated 13.08.2020 passed in **CRM-M-53108-2019**.

It is further submitted that while granting bail to aforesaid co-accused Vijay Kumar, this Court has noticed that the recovery is marginally higher than the commercial quantity.

Learned counsel further submits that no other case under the NDPS Act is pending against the petitioner, though he is involved in three other FIRs under the provisions of IPC, Arms Act and Jail Manuals.

Learned counsel for the petitioner further submits that petitioner is in judicial custody since 17.09.2019 and the trial is proceeding at a very slow pace.

Learned State counsel, on the basis of the custody certificate filed today, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is not involved in any other case under the NDPS Act; he is in judicial custody since 17.09.2019 and also in view of the fact that aforesaid two co-accused have already been granted concession of regular bail by this Court as noticed above, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

18.11.2020

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

(ARVIND SINGH SANGWAN)

JUDGE

*Yes/No
Yes/No*