

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

**CRM-M No. 22022 of 2020
Date of decision: 14.09.2020.**

Baljinder Singh @ Gulu

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Baljeet Singh Kathuria, Advocate, for the petitioner.

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

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 67 dated 02.05.2018, under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station City Nawanshahr, District SBS Nagar.

Learned counsel for the petitioner contends that the alleged recovery which has been effected from the petitioner is 15 injections of Buprenorphine (2 ml each), 15 injections of Pheniramine Maleate Avil (10 ml each) and 10 grams of heroin. He also contends that the possession of Avil does not constitute an offence under the NDPS Act. The petitioner is in custody for over two years and four months. He further contends that the trial has come to a standstill due to Covid-19 pandemic.

Learned State counsel has filed affidavit of custody which

indicates that the petitioner is in custody for two years, four months and three days as on 14.09.2020. He, upon instructions from ASI Purshotam Lal, also contends that the matter is now fixed for defence evidence. The petitioner is also involved in other cases under the NDPS Act.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for a period of two years, four months and three days, 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.

However, it is made clear that the petitioner shall appear before the Station House Officer, Police Station City Nawanshahr, on every Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

14.09.2020
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No