

In the High Court of Punjab and Haryana at Chandigarh

201

**CRM-M-22155-2020 (O & M)
Date of Decision: November 02, 2020**

JAGROOP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jitender Singh Dadwal, Advocate for
Mr. D.S. Malwai, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.94 dated 25.09.2019, under Section 22 of the NDPS Act, registered at Police Station Sadar Rajpura, District Patiala.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he was found in possession of Diphenoxylate tablets with a total weight of 52 grams which is marginally above the threshold of commercial quantity. The petitioner is in custody for over 01 year and is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 01 year, 01 month and 04 days. He upon instructions from Sub Inspector Nirvair Singh states that although the challan has been filed but none of the prosecution witness has been examined.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the recovery is marginally above the threshold of commercial quantity, the petitioner is in custody for over 01 year, he is not involved in any other case under the NDPS Act, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

November 02, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No