

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-21898-2020

DATE OF DECISION: 14.08.2020

SUKHMANDER SINGH

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.163 dated 04.08.2019, under Sections 15, 22 of the NDPS Act, 1985 and Sections 61/1/14 of the Punjab Excise Act, 1914 added later on vide Rapat No.13 dated 04.09.2019, registered at Police Station Lambi, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the Tramadol tablets with a total weight of 338 grams and 1 kg of poppy husk was allegedly recovered from the petitioner. He further contends that 30 litres of 'lahan' was also alleged to have been recovered in pursuance to the disclosure statement of the petitioner but this is not without doubt as it has been effected after one month of the petitioner's arrest. He also contends that the petitioner is not involved in any other case under the NDPS Act or Excise Act. The petitioner is in custody for over 1 year and 9 days. Learned counsel has relied upon the

judgments of the coordinate Benches of this Court in the case of **Kashmir Singh vs. State of Punjab**, in CRM-M-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 vs. State of Punjab**, in CRM-M-23811 of 2018, decided on 09.07.2018, the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel contends that challan has been filed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, the judgments of the coordinate Benches of this Court, the petitioner is not involved in any other case under the NDPS Act or Excise 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 instant 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

14.08.2020.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No