

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-22661-2020 (O & M)
Date of Decision: October 13, 2020

ANMOLPREET SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Narinder Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.05 dated 13.01.2020, under Section 22 of the NDPS Act, registered at Police Station GRP Bathinda, District Govt. Railway Police.

Learned counsel for the petitioner contends that it is alleged in the FIR that the petitioner had slipped at the railway platform and the plastic bag which he was holding in his hand tore, out of which some vials of WINCIREX were found scattered on the platform. The alleged recovery is 18 vials of WINCIREX Syrup (Codeine Phosphate). He *inter alia* contends that the petitioner, who is 19 years old, is in custody for almost 09 months and is not involved in any other case under the NDPS Act. He also contends that as the recovery was effected from the platform, it is debatable as to whether the petitioner was in conscious possession of the contraband.

Learned State counsel upon instructions from MHC Surinder Singh states that although the challan has been filed but none of the prosecution witnesses have been examined.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner, who is 19 years old, is in custody for almost 09 months, 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

October 13, 2020
A.Kaundal

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