

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

**CRM-M No. 22777 of 2020 (O&M)
Date of decision: 18.08.2020.**

Balwinder Singh

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vidit Bansal, Advocate, for the petitioner.

Mr. S.P.S. Tinna, Additional Advocate General, Punjab,
for the respondent-State.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.106 dated 01.09.2017, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station Lohian, District Jalandhar Rural.

Learned counsel for the petitioner contends that it is alleged that three bags containing total of 90 kilogram of poppy husk were recovered from a car wherein the petitioner and the co-accused were travelling. He also contends that co-accused, namely, Rachhpal Kaur has been granted regular bail by this Court by order dated 15.07.2020 passed in CRM-M No. 17367 of 2020. He also contends that the petitioner is in custody for over three years and is not involved in any other case under the NDPS Act. He further contends that the trial could not be concluded in the near future due to Covid-19 pandemic.

Learned State counsel contends that the prosecution evidence has been completed and the case is now pending for defence evidence. He, however, contends that the petitioner is in custody for two years, eleven months and fifteen days. He also contends that the petitioner is the owner of the car wherefrom recovery was effected and, therefore, he is not entitled to the concession of regular bail.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for about three years, he is not involved in any other case under the NDPS 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 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.

Pending application, if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

18.08.2020
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No