

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-29358-2020 (O & M)

Date of Decision: September 28, 2020

BALKAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. P.K. S. Phoolka, 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.59 dated 27.04.2020, under Section 18 of the NDPS Act, registered at Police Station Samrala, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner was arraigned as an accused on the statement of co-accused Harjot Singh and Jatinder Singh, who were named in the FIR and from whom 17 kgs of opium was recovered. They had stated that they had sold 01 kg of opium to the petitioner. A raid was conducted on the house of the petitioner and 01 kg of opium was recovered from him, which is below the threshold of 2.5 kgs of commercial quantity. The petitioner is 28 years of age and is in custody for 05 months. He is not involved in any other case under the NDPS Act.

Learned State counsel upon instructions from ASI Sukhwinder Singh states that challan has been filed but charges are yet to be framed.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the recovery effected from the petitioner is of non-commercial quantity, he is in custody for 05 months and 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

September 28, 2020
A.Kaundal

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