

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

209

CRM-M-29811-2020 (O&M)

DATE OF DECISION: 07.12.2020

PARDEEP KUMAR @ DEEPA

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Ramdeep Partap Singh, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.62 dated 01.07.2018, under Sections 21, 22, 29 & 30 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act'), registered at Police Station Sadar Banga, District Nawanshahar (SBS Nagar).

Learned counsel for the petitioner contends that the allegations against the petitioner are that intoxicant tablets with a total weight of 50 grams was recovered from him while Alprazolam tablets with a total weight of 120 grams were recovered from a car belonging to the petitioner. He further contends that the petitioner is in custody for over 2 years and 5 months since his arrest on 03.07.2018. He also contends that after the arrest of the petitioner in the instant case, the petitioner was also involved in another FIR bearing No.173 dated 01.07.2018, registered at Police Station Phillaur, Jalandhar under Sections 21 and 22 of the NDPS Act wherein he was arraigned as an accused on the statement of the co-accused but no recovery had been effected from the petitioner in that case. He had been granted bail by the coordinate Bench of this Court in CRM-M-41061 of 2018 on 08.04.2019. The petitioner was found in possession of mobile phone and case was registered under the Prisons Act and he was in custody in that case for about 12 months. He also

contends that the trial has come to a standstill due to COVID-19 pandemic. Learned counsel for the petitioner undertakes that the petitioner shall not make any effort to delay the trial and shall not seek any unnecessary adjournment.

Learned State counsel has filed custody certificate through email which indicates that the petitioner is in custody in the instant case for a period of 1 year, 5 months and 4 days and by including custody in other cases, he is in custody for over two years and 5 months since his arrest on 03.07.2018.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 2 years and 5 months, 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.

It is clarified that the petitioner shall not take any unnecessary adjournment to delay the trial. He shall appear before the Police Station Sadar Banga, District Nawanshahr (SBS Nagar) every Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

07.12.2020.

SwarnjitS

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