

In the High Court of Punjab and Haryana at Chandigarh

201

CRM-M-27147-2019 (O & M)
Date of Decision: August 05, 2020

SUBA SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ranbir Singh Sekhon, Advocate for the petitioner.

Mr. Hitaan Nehra, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.20 dated 03.03.2019, under Sections 21/61 of the NDPS Act, registered at Police Station Kulgarhi, District Ferozepur.

Learned counsel for the petitioner contends that the petitioner is over 65 years of age and not involved in any other case under the NDPS Act. The alleged recovery in the instant case is 260 grams of heroin, which is marginally above the commercial quantity. The petitioner is in custody for over 01 year. He has relied upon the judgments of the Coordinate Benches of this Court passed in CRM-M-6999-2018 titled as **Sukhpal Singh versus State of Punjab** decided on 08.04.2016 wherein 260 grams of heroin had been recovered from the petitioner therein and he had been granted regular bail after over 04 months in custody and in CRM-M-7782-2016 titled as **Beant Singh versus State of Punjab** wherein also 260 grams of heroin had been recovered from the petitioner therein and he had been granted regular bail after 05 months

in custody. He also contends that the petitioner had previously been granted interim bail and thereafter had surrendered on receipt of the FSL report and has, therefore, not misused the concession of interim bail.

Learned State counsel has filed custody certificate which indicates that the petitioner has undergone 01 year and 16 days and is not involved in any other case under the NDPS Act. He also submits that 03 out of 19 prosecution witnesses have been examined.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is 65 years of age, is in custody for over 01 year, 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

August 05, 2020

A.Kaundal

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