

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-31632-2020 (O & M)
Date of Decision: December 04, 2020**

HARNAIB SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. L. S. Sekhon, 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.186 dated 26.10.2019, under Sections 15 and 25 of the NDPS Act, registered at Police Station Sadar Bathinda, District Bathinda.

Learned counsel for the petitioner inter alia contends that the allegations against the petitioner are that 03 bags containing total of 80 kgs of poppy husk were allegedly recovered from the petitioner and 02 co-accused. He also contends that if the recovery is divided among three accused, it would fall under the non-commercial quantity. The petitioner is in custody for over a year and is not involved in any other case under the NDPS Act.

Learned State counsel states that as per custody certificate, the petitioner is in custody for 01 year, 01 month and 06 days. He upon instructions from ASI Balwinder Singh states that although the challan has been filed but none of the prosecution witnesses has been examined.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over a year, he is 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

December 04, 2020
A.Kaundal

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