

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

**CRM-M-32061 of 2020**

**DATE OF DECISION : 27.10.2020**

**Kuldeep Singh**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. D. S. Gandhi, Advocate,  
for the petitioner.

Mr. P. S. Walia, AAG, Punjab.

**(Presence marked through video conference).**

**ARUN MONGA, J. (ORAL)**

This is second petition for grant of regular bail in FIR No.156 dated 04.11.2019 under Section 22 of NDPS Act registered at Police Station Khuian Sarwar, District Fazilka.

2. As per allegations, petitioner along with his co-accused was found in possession of 980 tablets of Tramadol Hydrochloride and 550 tablets of Alprazolam, without any permit or license.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. The provisions of NDPS Act were not followed. As per the case of prosecution, the alleged recovery was from a thoroughfare, but no independent witness was joined. He further submits that petitioner is in custody since 04.11.2019 and there is no headway in the trial due to current pandemic conditions.

4. Learned counsel further argues that co-accused has already been granted the concession of regular bail by this Court vide order dated 23.09.2020 passed in CRM-M-28410 of 2020 and seeks parity on the same ground as the role as well as recovery attributed to the petitioner is that of the co-accused.

5. On the other hand, learned State counsel opposes the bail plea. He argues that recovery is commercial in nature. He, however, admits that the role and recovery attributed to the present petitioner is the same as of the co-accused who has been granted bail by this Court. He further admits that the trial is being held up due to Covid-19 pandemic.

6. Having heard learned counsel for the petitioner as also learned State counsel, this Court is of the opinion that no useful purpose would be served by keeping the petitioner in further preventive custody since the investigation is already complete and challan has been presented. The trial is not likely to commence or conclude any time soon due to current pandemic conditions. The petitioner is stated to be in custody since 04.11.2019.

7. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty magistrate.

**OCTOBER 27, 2020**  
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**(ARUN MONGA)**  
**JUDGE**

Whether speaking/reasoned :  
Whether reportable :

Yes/No  
Yes/No