

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

213

**CRM-M-34630-2020**

Date of decision : 06.11.2020.

Balwinder Singh @ Maana

... Petitioner

Versus

State of Punjab

.. Respondent

**CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present:- Mr. L.S. Lakhanpal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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**Anupinder Singh Grewal, J. (Oral)**

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.32 dated 22.02.2018, under Section 15 of the NDPS Act, 1985, registered at Police Station Shahkot, District Jalandhar Rural.

Learned counsel for the petitioner, *inter alia*, contends that the allegations in the FIR are that 60 bags of poppy husk each containing 20 kgs. were allegedly recovered from a truck which was allegedly driven by the petitioner. He further contends that the petitioner is in custody for over 2 years and 8 months and is not involved in any other case under the NDPS Act. He also contends that co-accused, namely, Manjit Singh @ Manjiti has been granted regular bail by this Court in CRM-M-28964-2020, on 12.10.2020 and another co-accused, namely, Balwinder Singh @ Binder @ Gurmeet has been granted regular bail by the Special Court.

Learned State counsel has filed the custody certificate through email which indicates that the petitioner is in custody for over 02 years, 08 months and 10 days as on 05.11.2020. He, upon instructions from ASI Balwinder Singh, contends that although charges have been framed but only one prosecution witness has been examined.

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 02 years and 08 months, he is not involved in any other case under the NDPS Act, co-accused have been granted regular bail; 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.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**November 06, 2020**  
sonia gugnani

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