

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-36062-2020 (O&M)

DATE OF DECISION: 10.11.2020

ANWAR KHAN ALIAS BARA

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Mandeep K. Dhot, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.205 dated 11.09.2020, under Sections 21, 22 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Amargarh, District Sangrur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that recovery of 20 grams of heroin and 4000 tablets of Clovidol 100 SR (Tramadol) along with Rs.70,000/- was effected from the co-accused Sahil. He further contends that the petitioner has been arraigned as an accused on the basis of the statement of the co-accused Sahil. He also contends that no recovery has been effected from the petitioner. The petitioner is in custody for almost 2 months and is not involved in any other case under the NDPS Act.

Learned State counsel has filed the custody certificate which indicates that the petitioner is in custody for a period of 1 month and 16 days.

He, upon instructions from SI Baljit Singh, is not in a position to controvert the submissions of the learned counsel for the petitioner that neither the petitioner has been named in the FIR nor any recovery has been effected from him. He also contends that challan is yet to be filed.

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 a month, he is not involved in any other case under the NDPS Act, 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

10.11.2020.

SwarnjitS

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