

Avtar Singh @ Gopy

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTALPresent: Ms. Arti Kaur, Advocate
for the petitioner

Mr. Ramdeep Pratap Singh, DAG Punjab

Sudhir Mittal, J. (Oral)**Crl. Misc. No. M-33138 of 2019**

The petitioner seeks grant of regular bail in case FIR No. 35 dated 30.05.2019 registered under Sections 21, 29 of the NDPS Act, 1985 at Police Station City Banga, District SBS Nagar, Punjab.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of one year and two months. The trial is not likely to be concluded at an early date as six more witnesses remain to be examined. Non-commercial quantity was recovered from the petitioner and, thus, he deserves to be granted regular bail.

Custody certificate dated 25.08.2020 has been submitted in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 1 year, 2 months and 23 days and there is one other case under the NDPS Act pending against him.

A perusal of the aforementioned custody certificate shows that the petitioner has been granted regular bail by the trial Court in the pending criminal

case and, thus, it appears that recovery in the said case was also of non-commercial quantity.

Keeping in view the custody period undergone by the petitioner as well as the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

CRM No. 14177 of 2020

To be listed on 24.09.2020 for filing Court fee.

August 25, 2020

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**[SUDHIR MITTAL]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No