

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

211

CRM-M-37871-2019

DATE OF DECISION: 27.11.2020

PAWAN KUMAR

... Petitioner (s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sanjeev Banga, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.299 dated 21.10.2018, under Section 22 of the NDPS Act, 1985, registered at Police Station Phillaur, District Jalandhar (Rural).

Learned counsel for the petitioner, inter alia, contends that the alleged recovery which has been effected from the petitioner is 22 injections of Bupernorphine (2ml each) and 25 injections of Avil. The possession of Avil is not an offence under the NDPS Act. He also contends that the petitioner is in custody for over 2 years 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 2 years, 1 month and 5 months. He, upon instructions from ASI Baljit Singh, states that charges have been framed and 4 out of 9 prosecution witnesses have 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 2 years, 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

27.11.2020.

SwarnjitS

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