

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-44086-2019

DATE OF DECISION: 01.10.2020

NISHAN SINGH

... Petitioner (s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Karan Brar, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.332 dated 22.09.2017, under Sections 15 and 25 of the NDPS Act, registered at Police Station Bhuna, District Fatehabad.

Learned counsel for the petitioner contends that 200 kg of poppy husk is alleged to have been recovered from a truck in which the petitioner was travelling. He further contends that the petitioner is neither owner nor driver of the truck. He also contends that the similarly situated co-accused Amar Singh, has been granted concession of regular bail by this Court in CRM-M-47114 of 2019 on 09.12.2019 after putting in 2 years and 2 months in custody. The co-accused Angrej Singh, who was driving the truck has also been granted regular bail by the coordinate Bench of this Court in CRM-M-9503 of 2020 on 30.06.2020 after putting in over 2 years and 9 months. He also contends that the petitioner is in custody since his arrest on 22.09.2017.

Learned State counsel contends that although the petitioner is similarly situated as Amar Singh but he is also involved in three other cases under the NDPS Act, wherein recovery of poppy husk has been effected. He further states that 7 out of 22 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 3 years, co-accused have been granted 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.

The petitioner shall appear before the Police Station Bhuna every alternate Monday till the completion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

01.10.2020.

SwarnjitS

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