

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-46362-2019 (O & M)

Date of Decision: September 10, 2020

VARINDER KUMAR

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jitender Singh Dadwal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.0250 dated 14.07.2019, under Section 22 of the NDPS Act, registered at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that he was found in possession of polythene bag containing 15 injections of Buprenorphine (2 ml. each) and 15 injections of Avil. He further contends that possession of Avil does not constitute an offence under the NDPS Act. The petitioner is 29 years of age and not involved in any other case. He is in custody for over 01 year and 01 month.

Learned State counsel states that as per the custody certificate, the petitioner is in custody for 01 year, 01 month and 25 days. He upon instructions from Sub Inspector Devinder Singh states that although charges have been framed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner, who is 29 years of age, is in custody for over 01 year and 01 month, he is not involved in any other case, 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 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

September 10, 2020
A.Kaundal

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