

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-51157 of 2019 (O&M)
Decided on:- September 10, 2020.

Balwinder Singh @ Raja.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

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

Mr. H.S. Sullar, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.187 dated 27.11.2012 under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) registered at Police Station Division No.6, Industrial Area, Ludhiana, District Ludhiana.

Learned counsel for the petitioner has argued that the petitioner missed one date of hearing before the trial Court i.e. 02.05.2018. Thereafter, the petitioner was misguided and under wrong advice, could not appear before the trial Court on subsequent dates of hearing.

Learned State counsel has submitted that the petitioner was arrested on 19.08.2019.

Having heard learned counsel for the parties and considering the fact that the alleged recovery of 265 grams of opium is marginally high than the commercial quantity coupled with the fact that the petitioner is in custody since 19.08.2019 and the trial is not likely to be concluded in near future, this Court finds that no fruitful purpose would be served by detaining the petitioner in further custody.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

September 10, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No