

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH.

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CRM-M-695-2021

DATE OF DECISION: 13.01.2021

KULWANT SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rakesh Kumar, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.234 dated 07.11.2020, under Sections 15/29/61/85 of the NDPS Act, 1985, registered at Police Station Bhogpur, District Jalandhar.

Learned counsel for the petitioner contends that it is alleged in the FIR that 220 kg of poppy husk was recovered from a truck and two co-accused were arrested at the spot. He further contends that the petitioner has been arraigned as an accused on the statement of the co-accused that 100 kg poppy husk was to be supplied to the petitioner and the co-accused Nahar Singh. He, however, contends that there is no material which would connect the petitioner with the commission of the offence. The petitioner is in custody for over two months and no recovery has been effected from him. The petitioner is not involved in any other case under the NDPS Act.

Learned State counsel, upon instructions from SI Balwinder, states that the matter is under investigation. He has filed the custody

certificate which indicates that the petitioner is in custody for over 2 months and he is not involved in any other case.

Heard through video conferencing.

In view of the above, especially when the petitioner has been arraigned as an accused on the statement of the co-accused, no recovery has been effected from him, he is not involved in any other case under the NDPS Act, he is in custody for over two months, 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

13.01.2021

SwarnjitS

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