

219.

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

CRM-M-2265-2021

Date of decision: 18.03.2021

VARINDER SINGH @ GOPI @ KALA

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Jasneet Mehra, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

HARI PAL VERMA, J.(Oral)

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

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.15 dated 16.03.2020 registered under Section 22 of NDPS Act, 1985 at Police Station Khalra, District Tarn Taran.

As per FIR, 1387 intoxicant tablets having ingredients of Tramadol Hydrochloride were recovered from the conscious possession of the petitioner whereas recovery of 125 tablets was effected from the co-accused Shiv Kumar and 165 tablets from Balbir Singh.

Counsel for the petitioner has argued that there is no other case against the petitioner. The petitioner is in custody since 16.03.2020. Challan has been presented and charges are yet to be framed. Trial in the case will take long time.

Learned State counsel has filed the custody certificate, which is taken on record. He does not dispute the custody. As on date, the petitioner is in custody for more than a year.

I have heard learned counsel for the parties.

As per the Chemical Examiner report received in the case, the contraband recovered from the conscious possession of the petitioner is 1387 tablets, but he being in custody since 16.03.2020 and there is no other case against him and the trial is not likely to be concluded in the near future, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

It is made clear that in case the petitioner is found indulged in any other case, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

18.03.2021
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No