

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

214

CRM-M-5538-2021

Date of decision : 12.02.2021.

Ajju Masih @ Ajay Masih

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.06 dated 11.01.2020 under Sections 21/29 of the NDPS Act, registered at Police Station Verowal, District Tarn Taran.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is stated that co-accused, namely, Amritpal Singh and Navjeet Singh, were apprehended at the spot and recovery of 178 grams and 175 grams of heroin was effected from them respectively. He further contends that the petitioner has been arraigned as an accused on the statement of co-accused and no recovery has been effected from him even after his arrest. He also contends that the petitioner is in custody for over a year since his arrest on 16.01.2020.

Learned State counsel, upon instructions from ASI Amarjeet Singh,

contends that the petitioner is involved in other cases. He also contends that although challan has been filed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the above especially when no recovery has been effected from the petitioner in the instant case, he is in custody for over a year, 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

February 12, 2021
sonia gugnani

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