

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 6393 of 2021
Date of Decision: 18.8.2021**

Satnam Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. D.S.Virk, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 203 dated 6.12.2020 under Section 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Guhla, District Kaithal.

Reply by way of affidavit of Deputy Superintendent of Police, Guhla dated 07.4.2021, filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the alleged recovery effected from the petitioner, is marginally above the small quantity as the same had been weighed along with the polythene cover; that the petitioner has been in custody since 06.12.2020 and so far as the other cases under the NDPS Act are concerned, in one case, the petitioner has been acquitted and in the other case, he has already undergone the sentence.

On the other hand, the learned State counsel opposes the bail petition and submits that the recovery effected from the petitioner is on the

higher side and moreover, he has been convicted in the case under the NDPS Act, however, he has not disputed the custody period of the petitioner. He further submits that out of 13 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.12.2020 and the prosecution evidence is yet to commence. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

August 18, 2021
Gurpreet

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