

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 8699 of 2021
Date of Decision: 04.8.2021**

Vinod Kumar @ Veenu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. P.S.Sekhon, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 68 dated 13.5.2019 under Sections 22 and 29 of the NDPS Act, 1985, registered at Police Station City Nawanshaher, District SBS Nagar.

Custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Ludhiana dated 04.8.2021, has been filed through e-mail. Copy of the same is taken on record.

Short reply by way of affidavit of Deputy Superintendent of Police, Sub Division Nawanshahr dated 20.4.2021, filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that alleged recovery has already been effected from the petitioner; that co-accused Jagtar Singh had been granted regular bail by this Court on 30.9.2020; that though there are other cases pending against the petitioner, yet no case under the NDPS

Act is pending against him and he has been in custody since 13.5.2019.

On the other hand, learned State counsel opposes the bail petition and submits that recovery of 30 injections of Buprenorphine was effected from the petitioner, which falls under the commercial quantity. However, he has not disputed the custody period of the petitioner and submits that out of 11 prosecution witnesses, only 02 witnesses have been examined.

I have heard the learned counsel for the parties.

As per the custody certificate, the petitioner has been in custody for the last 02 years, 02 months and 18 days. Co-accused Jagtar Singh has already been granted regular bail on 30.9.2020. Out of 11 prosecution witnesses, only two witnesses have been examined. 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 04, 2021
Gurpreet

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