

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-9078-2021

DATE OF DECISION: 23.03.2021

SUKHDEV SINGH @ SEBI

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.162 dated 06.08.2019, under Sections 21, 22 and 29 of the NDPS Act, 1985, registered at Police Station Kotwali, Kapurthala, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of the co-accused from whom 100 grams of heroin and 260 grams of intoxicant powder was recovered. No recovery has been effected from the petitioner even after his arrest. The co-accused Karnail Singh @ Kaila has been granted regular bail in CRM-M-23427-2020 on 22.09.2020. The petitioner has been falsely implicated because he was involved in other cases and the co-accused Karnail Singh @ Kaila was also involved in other cases.

Learned State counsel has filed the custody certificate which indicates that the petitioner is in custody for a period of 11 months and 18

days. He states that challan has been filed but charges are yet to be framed. The petitioner is also involved in other cases. He, however, is not in a position to controvert the submissions of learned counsel for the petitioner that the similarly situated co-accused Karnail Singh @ Kaila has been granted regular bail.

Heard.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 11 months, the co-accused has been granted regular bail, 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

23.03.2021.

SwarnjitS

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