

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

228

CRM-M-8894-2021

Date of decision : 02.03.2021.

SATYAWAN

... Petitioner

Versus

STATE OF HARYANA

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sunil Saharan, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.6 dated 07.01.2021, under Sections 20, 29 of the NDPS Act, registered at Police Station Bass, district Hisar.

Learned counsel for the petitioner contends that the alleged recovery of 9 kgs.650 grams of ganja which is way below the threshold of 20 kgs. as commercial quantity has been effected from the co-accused. The petitioner has been arraigned as an accused on the statement of co-accused. No recovery has been effected from the petitioner. The petitioner is in custody for over one month and 20 days and is not involved in any other case under the NDPS Act.

Learned State counsel, upon instructions from ASI Dalbir, contends that although challan has been filed but no prosecution witness has been examined. He also contends that although no recovery of contraband has been effected from the petitioner but recovery of ₹4,000/- has been effected

from him. He also contends that the petitioner is involved in other cases under various sections of IPC and there is no other case under the NDPS Act.

Heard through video conferencing.

In view of the above especially when the petitioner is not named in the FIR, no recovery has been effected from him, he is in custody for over one month and 20 days, he is not involved in any other case under the NDPS Act, 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

March 02, 2021
sonia gugnani

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