

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-11284-2021

DATE OF DECISION: 14.12.2021

GURPREET @ BABBU

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Siwach, Advocate for the petitioner.

Mr. Ranbir Singh Arya, Addl.AG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.269 dated 22.10.2020, under Section 22-C, 27A (Act No.61) of the NDPS Act, registered at Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner contends that it is alleged that the recovery, which has been effected from the petitioner, is 38 strips allegedly containing Tramadol hydrochloride with a total weight of 400.14 grams but the FSL report is not received till date. The petitioner is in custody for over a year and he is not involved in any other case under the NDPS Act.

Learned State counsel has filed status report by way of an affidavit of DSP (HQ), Fatehabad dated 13.12.2021 which is taken on record. It is stated in the status report that the petitioner was found in possession of 38 strips containing Tramadol Hydrochloride with a total weight of 400.14 grams in para 7 of the affidavit. In the affidavit sworn on 13.12.2021, it is also stated that FSL report has not been received till date. He has also filed custody certificate which indicates that the petitioner is in custody for a period of 01 year, 01 month and 20 days.

Heard.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 1 year and 1 month, he is not involved in any other case under the NDPS Act, FSL report has not been received yet, 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

14.12.2021

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No