

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

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CRM-M-13334-2021

Date of decision : 09.07.2021.

Man Singh Verma

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. G.S. Verma, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.90 dated 25.12.2020, under Sections 18, 61/85 of the NDPS Act, registered at Police Station Maloud, Police District Khanna.

Learned counsel for the petitioner contends that the alleged recovery which has been effected from the petitioner is 1 kg 600 grams of opium which is non-commercial quantity. 1 kg. of opium was allegedly recovered from co-accused Ramesh Kumar and only after clubbing both the recoveries, it would constitute commercial quantity but as they were carrying separate bags, therefore, it should be regarded as separate. He further contends that co-accused Ramesh Kumar has been granted regular bail by this Court in CRM-M-21008 of 2021, on 28.06.2021. He also contends that the petitioner, who is 24 years of age, is not involved in any other case under the NDPS Act and is in custody for over 06 months.

Learned State counsel upon instructions from ASI Avtar Singh states that although challan has been filed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the above, especially when the petitioner, who is 24 years of age, is in custody for over 06 months, the recovery effected from him is of non-commercial quantity, he is not involved in any other case under the NDPS Act, co-accused has been granted bail, 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 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

July 09, 2021
sonia gugnani

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