

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-12674 of 2021 (O&M)
Date of decision : August 20, 2021

Varinder Singh alias Kallu

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Ashish Aggarwal, Advocate, for the petitioner
Mr. Harbir Sandhu, AAG, Punjab

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Varinder Singh alias Kallu who is in custody since 11.1.2020 in case FIR No. 04 dated 11.1.2020 under Section 21, 25, 29 of the NDPS Act, Police Station Harike, District Tam Taran was apprehended by the police along with co-accused Jasbir Kaur (since released on bail) on the basis of secret information. From the possession of the accused, 300 grams of heroin and from his co-

accused 200 grams of heroin was got recovered, while they were roaming in car bearing No. DL-3C-BD-0278.

Learned counsel for the petitioner inter-alia contends that the petitioner is behind the bars for more than one year and seven months. There is no other NDPS Act case against the petitioner. It is claimed that the co-accused has already been allowed bail vide orders dated 13.3.2021 and that the trial is yet to be initiated.

On behalf of the State though the facts have not been displaced but strong opposition has been made to the relief being sought by the petitioner on the ground of heinousness of the offence.

The petitioner is behind the bars admittedly for more than one year and seven months. His co-accused has already been released on bail. The State squarely accepts that the petitioner is not facing any other case under the NDPS Act and that the trial is yet to start. In the light of the present COVID-19 pandemic, the trial is not likely to be accomplished in the near future. In view of the similar situation, this Court in the cases of CRM-M-16336-2020 (O&M) decided on 29.7.2020, titled as Sanjay Kumar versus State of Punjab; CRM-M-15530-2020 (O&M) decided on 24.7.2020, titled as Sagar Arora versus State of Punjab; CRM-M-19285-2020 decided

on 6.8.2020 titled as Taranjit Singh @ Tarni versus State of Punjab; CRM-M-46318-2019 decided on 17.12.2019 titled as Jagsir Singh @ Seera versus State of Punjab and CRM-M-16824-2020 decided on 30.6.2020, titled as Raj Kumar veruss Narcotic Control Bureau, Chandigarh has allowed bail and thus, in the light of principle of parity, impels this Court to grant similar relief to the petitioner especially in view of the fact that there is no other similar case is pending against the petitioner. Accordingly, he is ordered to be released on regular bail on furnishing of two sureties of Rs 1 lac each to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition stands disposed off accordingly.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

August 20, 2021
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(Fateh Deep Singh)
Judge

<i>Whether speaking/reasoned ?</i>	Yes/No
<i>Whether Reportable ?</i>	Yes/No