

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

**CRM-M No.14138 of 2021 (O&M)
Date of Decision.07.04.2021**

Avninder Singh @ Shanty

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. H.S. Sullar, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.144 dated 29.10.2020 under Sections 21, 21-C, 27, 27-A and 29 of the NDPS Act registered at Police Station Special Task Force, District STF Wing.

Learned counsel for the petitioner would contend that the petitioner is in custody in FIR No.1 dated 01.01.2018 registered at Police Station Division No.2, District Ludhiana under Section 22, 61 of the NDPS Act. He was released on bail on 10.11.2020 by this High Court, however, on the basis of production warrant, he was produced in FIR No.147 dated 06.11.2020 in which independent application for regular bail has been filed. It is argued that the petitioner has further been nominated as an accused on the basis of disclosure statement made under FIR No.144 dated 29.11.2020. It is further argued that as on date, no recoveries have been effected from him, as he was in custody. It is also submitted as on date, the petitioner has spent about 3 years 3 months in the custody in all the three FIRs that have

been registered against him.

Learned counsel appearing for the respondent-State opposes grant of bail to the petitioner by contending that the petitioner herein is a habitual offender and several cases are pending against him.

I have heard learned counsel for the parties. Keeping in view the fact that petitioner is in custody since 13.12.2020 and no recovery is to be effected from him and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

April 07, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No