

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

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CRM-M-10529-2020

Date of decision : 20.08.2021.

Guravtar Singh @ Kali @ Gora @ Angrej

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.35 dated 18.06.2019 under Sections 21 and 29 of the NDPS Act and Section 411 IPC (added later on) registered at Police Station Kacha Pacca, District Tarn Taran.

Learned counsel for the petitioner contends that it is alleged in the FIR that the petitioner along with co-accused were coming on a motorcycle and asked to stop. On opening the dickey of the motorcycle, a polythene bag fell down from where 260 grams heroin was allegedly recovered. He also contends that the recovery is marginally above the commercial quantity and if it is divided among two accused, it would fall below the commercial quantity. The petitioner is in custody for over two years and two months since his arrest on 18.06.2019 and is not involved in any other case under the NDPS Act.

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

Heard.

In view of the above especially when the petitioner is in custody for over two years and two months, 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

August 20, 2021
sonia gugnani

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