

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

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CRM-M-15449-2021

Date of decision : 10.12.2021

Jagtar Singh @ Babbu

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Naveen Sharma, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.13 dated 09.02.2020, under Section 22/25/61/85 of the NDPS Act, 1985 (Section 29 of the NDPS Act has been added later on), registered at Police Station City Raikot, District Ludhiana.

Learned counsel for the petitioner contends that it is alleged in the FIR that 1000 intoxicant tablets containing Tramadol with a total weight of 400 grams approximately were allegedly recovered from an envelope hanging on the handle of the motorcycle on which the petitioner and co-accused Harpreet Singh were travelling. The petitioner is in custody for over one year and two months and is not involved in any other case under the NDPS Act. Learned counsel has relied upon the judgments of the Coordinate Benches of this Court in the case of **Kashmir Singh vs. State of Punjab**, in CRM-M-7437 of 2019, decided on 21.02.2019, the petitioner therein had been granted regular bail as

he was in custody for over seven months and the judgment in the case of **Karaj**

Singh vs. State of Punjab, in CRM-M-23811 of 2018, decided on 09.07.2018, the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel, however, contends that 1000 intoxicant tablets were recovered from the motorcycle on which petitioner and co-accused Harpreet Singh were travelling and the same was owned by the petitioner. She also contends that on the statement of the petitioner, further recovery of intoxicant tablets containing tramadol (commercial quantity) was effected from co-accused Harsimrandeep Singh. She, upon instructions, states that although charges have been framed but none of the prosecution witnesses has been examined.

Heard.

In view of the above especially when the petitioner is in custody for over 01 year and 02 months, he is not involved in any other case under the NDPS Act, the judgments of the Coordinate Benches of this Court, 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

December 10, 2021
sonia gugnani

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