

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

212

CRM-M-13898-2020

Date of decision : 22.02.2021.

Chabha Ram

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.21 dated 31.01.2020 under Section 22 of the NDPS Act registered at Police Station Kartarpur, district Jalandhar Rural.

Learned counsel for the petitioner contends that it is alleged that intoxicant tablets containing Tramadol with a total weight of 355 grams were allegedly recovered from the petitioner. He further contends that it is alleged that the tablets were carried in a transparent bag which creates doubt as a person engaged in the trade of contraband would not be expected to carry the same in any transparent bag which would be visible to the naked eye. In support of his submissions, he has cited judgments of the Coordinate Benches of this Court in the cases of **Lakhwinder Singh @ Lakha versus State of Punjab** (CRM-M-8026 of 2020), **Binder Kaur alias Goga versus State of Punjab** (CRM-M-4584 of 2020), **Mandir Singh versus State of Punjab** (CRM-M-8035-2019) and **Jaskaran Singh @ Jassu versus State of Punjab** (CRM-M-8268-2020). He also contends that the petitioner is in custody for over a year and is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate in Court through e-mail, which indicates that the petitioner is in custody for 01 year, 20 days as on 21.02.2021. He, upon instructions from ASI Maninder 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 is in custody for over a year, 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

February 22, 2021
sonia gugnani

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