

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-17937-2021 (O & M)

Date of Decision: July 19, 2021

RANJIT MASIH @ SONU

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Amandeep Singh Manaise, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.08 dated 26.07.2020, under Sections 21/22/25/27-A/29 of the NDPS Act and Section 25/27 of the Arms Act, registered at Police Station State Operation Cell, Amritsar.

Learned counsel for the petitioner contends that no recovery of any intoxicant substance was effected from the petitioner although a sum of ₹1.00 lac is alleged to have been recovered from him. The petitioner was involved in the instant FIR and two other cases under the NDPS Act within a week and no recovery of any intoxicant substance has been effected from the petitioner in any of those cases. The petitioner is in custody for over 11 months.

Learned State counsel has filed short reply by way of affidavit of Deputy Superintendent of Police, Counter Intelligence, Gurdaspur. The same is taken on record. He has also filed custody certificate which indicates that the

petitioner is in custody for 11 months and 15 days. He also contends that a

sum of ₹1.00 lac which is alleged to be drug money was recovered from the petitioner and, therefore, he is not entitled to the concession of regular bail. However, he is not in a position to controvert the submission of the learned counsel for the petitioner that no recovery of any intoxicant substance was effected from the petitioner. He upon instructions from Sub Inspector Gagandeep Singh states that although the challan has been filed but no prosecution witness has been examined as yet.

Heard.

In view of the above, especially when the petitioner is in custody for almost a year, no recovery of any intoxicant substance has been effected from him, 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 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

July 19, 2021
A.Kaundal

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