

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

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CRM-M-18038-2021 (O&M)

Date of decision : 12.11.2021.

Balkar Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Nishan Singh Chahal, Advocate for the petitioner.

Mr. Amandeep Singh Gill, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.136 dated 26.04.2020, under Sections 22/29 of the NDPS Act, registered at Police Station City Faridkot, district Faridkot.

Learned counsel for the petitioner contends that the allegations against the petitioner are that tablets of various brands of drugs were recovered from him. Tablets of Clonazepam with a total weight of 130 grams constitute commercial quantity while the other tablets which were recovered from the petitioner were of non-commercial quantity. He also contends that the petitioner is in custody for over one year and six months and is not involved in any other case under the NDPS Act. He has relied upon the judgment of the Coordinate Bench in the case of **Dr. Mandeep Singh and others versus State of Punjab**, 2020(2) RCR (Criminal)489 wherein heavy recovery of intoxicant tablets were effected from the petitioners therein and they were granted bail after a year.

Learned State counsel, upon instructions from ASI Gurbaxsh Singh, states that although challan has been filed but charges yet to be framed. He has filed the custody certificate in Court, which indicates that the petitioner is in custody for 01 year, 06 months and 13 days as on 11.11.2021.

Heard.

In view of the above especially when the petitioner is in custody for over one year and six 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.

Pending application, if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 12, 2021
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No