

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

**210**

**CRM-M-18437-2021**

Date of decision : 06.07.2021.

Harish Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

**CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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**Anupinder Singh Grewal, J. (Oral)**

The petitioner is seeking regular bail in FIR No.284 dated 17.09.2020, under Sections 21(b), 22(c) 29, 31 of the NDPS Act registered at Police Station City, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statements of co-accused Bikramjit Singh @ Bikka and Sanjeev Kumar @ Jony. Bikramjit Singh @ Bikka was apprehended along with 50 grams heroin and 260 grams intoxicant substance (Alprazolam) while Sanjeev Kumar @ Jony was apprehended along with 50 grams heroin and 270 grams intoxicant substance (Alprazolam). No recovery was effected from the petitioner after his arrest in the instant case. He also contends that the petitioner was involved in other cases under the NDPS Act but he is acquitted in those cases except in a case pertaining to recovery of 300 grams charas (non-commercial quantity) in which he has already undergone the sentence. He was also implicated in another case hearing FIR No.49 dated 15.03.2020, under Sections 21, 25 of the NDPS Act,

Police Station Shahkot, District Jalandhar wherein he has been granted regular bail by the Coordinate Bench in CRM-M-14170 of 2020, on 09.03.2021. He also contends that the petitioner is in custody for over one year and five months.

Learned State counsel, upon instructions from ASI Santokh Singh, states that although challan has been filed but no prosecution witness has been examined. He also contends that the petitioner is also involved in other cases under the NDPS Act.

Heard through video conferencing.

In view of the above especially when the petitioner is in custody for over one year and five months, no recovery has been effected from him, 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.

However, the petitioner shall appear before the Police Station City, District Kapurthala on every alternate Monday, he shall also furnish his mobile number to the concerned SHO and shall keep the location of his phone on till the conclusion of the trial.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**July 06, 2021**  
sonia gugnani

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