

205 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-18615-2021
Date of Decision: 21.05.2021**

Gurminder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. P.S. Punia, Advocate,
 for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.109 dated 18.04.2017, under Sections 15, 29 of the NDPS Act, registered at Police Station Samrala, District Ludhiana.

2. The petitioner in the present case was initially arrested on being found in possession of contraband in the form of *Poppyhusk* weighing 5 kgs., which is less than the commercial quantity. He was granted bail by the Ld. Trial Court after remaining in detention for one and a half months. According to Ld. Counsel for the petitioner, due to some communication gap, the petitioner could not appear before the Ld. Trial Court on one of the designated dates, i.e. 08.05.2018. Consequently, his bail was cancelled and coercive processes were issued against him. He was, however, arrested in connection

with a subsequent FIR No.202 dated 15.09.2019, in which case similar recovery of *Poppyhusk* below the commercial quantity was allegedly effected from him. He was then re-arrested in connection with the present case and remained in further detention for more than six months, since 23.09.2019. Subsequently on 04.04.2020, he was released on interim bail by the Ld. Trial Court, on account of the outbreak of Covid-19 pandemic, and still happens to be on such bail.

3. He, therefore, now seeks his regular bail by contending that the alleged recovery from him in any case is well below the commercial quantity and he has suffered imprisonment in the present case for almost eight months. It has been further submitted on his behalf that henceforth he will be more careful in attending the Trial Court's proceedings and will not absent therefrom.

4. In view of the aforesaid submissions, the present petition is disposed off by allowing the petitioner's prayer for grant of regular bail with a direction that he must surrender himself before the Ld. Trial Court within ten working days from today, after which the interim bail already granted to him shall be confirmed by the said Court.

21.05.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No