

In the High Court of Punjab and Haryana at Chandigarh

212

**CRM-M-18358-2021 (O & M)
Date of Decision: |August 02, 2021**

RAKESH KUMAR @ ROHIT KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Sandeep Kumar Passi, 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.14 dated 24.02.2021, under Section 22 of the NDPS Act (Section 29 of the NDPS Act added later on), registered at Police Station Lakho Ke Behram, District Ferozepur.

Learned counsel for the petitioner contends that neither the petitioner was named in the FIR nor any recovery has been effected from him. He has been arraigned as an accused on the statement of co-accused from whom Clovidol 100 SR tablets with total weight of 326 grams was effected. He further contends that besides the statement of co-accused, there is no prima facie material which would connect the petitioner with the commission of offence. The petitioner is in custody for over 04 months since his arrest on 22.03.2021 and no recovery has been effected from him even after his arrest in this case.

Learned State counsel upon instructions from ASI Gurdev Singh states that the petitioner is involved in another case under the NDPS Act and has been sentenced for a period of 10 years and is currently undergoing his sentence. He further contends that 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 over 04 months, no recovery has been effected from the petitioner, 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

|August 02, 2021
A.Kaundal

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