

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

S. No.203

CRM-M-18693-2021 (O&M)

Date of Decision: 21.05.2021

VARINDER SINGH @ TONY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Devinder Singh Nigha, Advocate,
for the petitioner.

ARCHANA PURI, J. (ORAL)

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

This is a petition under Section 439 Cr.P.C. making prayer for grant of regular bail to the petitioner, in case bearing FIR No.22 dated 06.02.2021 under Section 22 of NDPS Act, 1985 and Section 29 and 61 of NDPS Act, 1985 (added later on) registered at Police Station Shambu, District Patiala.

Notice of motion.

Mr. P.S.Walia, AAG Punjab, accept notice on behalf of respondent-State.

Heard on the bail petition. Custody certificate filed by learned State Counsel is taken on record.

As per version of the prosecution, in pursuance of the secret information received against Vijay Kumar (Co-accused), a *naka* was laid and Vijay Kumar was intercepted and recovery of 3000 tablets of Lomotil was effected from him.

It is now submitted by learned counsel for the petitioner that so far as the present petitioner is concerned, he has not been arrested at the spot. Rather, he has been named as accused only on the disclosure statement made by the fellow accused Vijay Kumar, who was projected to have accompanied Vijay Kumar for the purchase of the above said tablets from Kurukshetra. Besides the disclosure statement of the fellow accused, who was arrested at the spot and from whom recovery as such was effected, there is no material as such coming forth against the present petitioner.

Investigation has since completed and challan has been presented. However, the charge has yet not been framed. Considering the factual position aforesaid, and the fact that subsequent trial is likely to take time, I deem it appropriate to grant the benefit of regular bail to the petitioner.

Accordingly, the instant petition is hereby allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate Concerned.

(ARCHANA PURI)
JUDGE

May 21st, 2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No