

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

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CRM-M-18782-2021 (O&M)

Date of Decision: 24.08.2021

PARAMJIT SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vijay Rana, Advocate for the petitioner.

Mr. H.S. Sitta A.A.G. Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

By way of the instant petition, the petitioner seeks regular bail in case bearing FIR No.171 dated 09.10.2020, registered under Section 22 of the NDPS Act, 1985, at Police Station Khamano, District Fatehgarh Sahib, Punjab.

Learned counsel for the petitioner submits that the alleged recovery of 10 number of LEEGESIC (Buprenorphine) injections of 2 ml each and 10 number of AVIL injections of 10 ml each, effected from the petitioner is a non-commercial quantity; that there is no other case registered or pending against the petitioner and that the petitioner has been in custody for the last more than 5 months. He further submits that as the co-accused from whom the recovery of 9 number of LEEGESIC (Buprenorphine) injections of 2 ml each was effected, has already been granted the concession of bail, the petitioner be also granted such concession, on the ground of parity.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the recovery effected from the petitioner is at

the threshold of the commercial quantity. He further submits that post presentation of the challan, charges have been framed.

I have heard the learned counsel for the parties.

It is a case in which the petitioner has been in custody for the last more than 5 months. Prosecution evidence is yet to commence. Moreover, the co-accused has already been enlarged on bail. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial of the case is unlikely to conclude any time soon. Therefore, no useful purpose will be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

24.08.2021

Aman Jain

Whether speaking/reasoned

Whether reportable

(HARNARESH SINGH GILL)

JUDGE

: *Yes/No*

: *Yes/No*