

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

208

CRM-M-20118-2021

DATE OF DECISION: 29.06.2021

NISHAT KUMAR @ ROBIN

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Rupinder Kaur Thind, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.40 dated 25.06.2018, under Sections 21, 22, 25 and 29 of the NDPS Act, 1985, registered at Police Station D -Division, Amritsar.

Learned counsel for the petitioner contends that the allegations in the FIR are that 260 grams of heroin was allegedly recovered from a polythene bag being carried by the petitioner and it is possible that if the weight of the bag is excluded, it may fall below the commercial quantity. She also contends that the petitioner is in custody for almost 3 years and is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for a period of 2 years, 11 months and 29 days. He, upon instructions from SI Baldev Singh, contends that one out of 17 prosecution witnesses has been examined.

Heard.

In view of the above, especially when the petitioner is in custody for almost three years, he is not involved in any other case under the NDPS Act, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

29.06.2021

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No