

In the High Court of Punjab and Haryana at Chandigarh

214

**CRM-M-21190-2021 (O & M)
Date of Decision: June 28, 2021**

VICKY DIWAN

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Arti Kaur, 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.163 dated 03.08.2017, under Section 22 of the NDPS Act, registered at Police Station Machhiwara Sahib, District Khanna.

Learned counsel for the petitioner contends that 120 injections of buprenorphine (2 ml each) were allegedly recovered from the petitioner. 120 injections of Avil were also recovered from the petitioner although possession of Avil is not an offence under the NDPS Act. The petitioner is in custody for over 03 years.

Learned State counsel has filed custody certificate which indicates that the petitioner is involved in another case under the NDPS Act but he has been acquitted in that case and he is in custody for 03 years and 11 days. He upon instructions from ASI Vipin Kumar states that 07 out of 12 prosecution witnesses have been examined.

In view of the above, especially when the petitioner is in custody for over 03 years, 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

June 28, 2021
A.Kaundal

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