

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-17393-2020

DATE OF DECISION: 25.02.2021

HEERA LAL

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Tejinder Pal Singh, 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.84 dated 12.08.2019, under Sections 21, 22 and 29 of the NDPS Act, registered at Police Station Sadar Banga, District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner contends that it is alleged that the petitioner had run away from the spot while recovery of 50 grams (non-commercial) of heroin and 13 injections of buprenorphine (2 ml each) were recovered from the co-accused who was arrested at the spot. He further contends that it would not be possible for the petitioner to run away in the presence of several police officials. The petitioner has been named in this case because of his involvement in other cases. The petitioner is in custody for over a year. No recovery was effected from the petitioner even after his arrest in this case. He also contends that the co-accused Randeep Kaur, from whom recovery was effected and who was arrested at the spot, has been granted regular bail by this Court in CRM-M-46486 of 2019 on 18.08.2020.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for a period of 1 year, 1 month and

11 days. He, upon instructions from SI Inderjit Singh, contends that the petitioner is also involved in other cases under the NDPS Act. He also contends that challan has been filed but no prosecution witness has been examined.

Heard.

In view of the above, especially when no recovery was effected from the petitioner, the petitioner is in custody for over 1 year and 1 month, 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

25.02.2021

SwarnjitS

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