In the High Court of Punjab and Haryana at Chandigarh

213 **CRM-M-21669-2021 (O & M)**
Date of Decision: July 08, 2021

MAHI SINGH .....**PETITIONER**

VERSUS

STATE OF HARYANA ....**RESPONDENT**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Kuldeep Attri, Advocate
for the petitioner.

Mr. Vijesh Sharma, Addl. AG, Haryana.

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ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.37 dated 28.01.2021, under Section 20/61/85 of the NDPS Act, registered at Police Station Sector-5, Panchkula, District Panchkula.

Learned counsel for the petitioner contends that it is alleged that a bag containing 25 kgs ganja was lying near the petitioner. He further contends that it would be debatable whether the petitioner was in conscious possession of the bag. The petitioner is in custody for about 5 ½ months since his arrest on 28.01.2021. He is not involved in any other case under the NDPS Act. The petitioner is 70 years old and is suffering from Renal Colic. He has referred to the copy of the medical prescription from Civil Hospital, Sector-6, Panchkula which is annexed as Annexure P-3.

Learned State counsel upon instructions from SI Sukhbir Singh states that the challan has been filed but charges are yet to be framed.

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In view of the above, especially when the petitioner, who is 70 years of age, is unwell, he is in custody for about 5 ½ months, he is not involved in any other case under the NDPS Act, 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

July 08, 2021
A.Kaundal

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

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