

CRM-M-19420-2020

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

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Date of decision: 25.08.2021

Varinder Kumar @ Bindi

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jagjot Singh Lalli, Advocate,
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G.Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.187 dated 23.10.2019, registered at Police Station Division No.3, Ludhiana, under Section 21 NDPS Act.

Learned counsel for the petitioner contends that the present case has falsely been foisted upon the petitioner; that the above-noted FIR had been registered on the basis of a secret information; that though the recovery of intoxicant tablets allegedly effected from the petitioner, falls under the commercial quantity, yet the fact remains that the the petitioner has been in custody since 23.10.2019 and no witness has been examined so far. Moreover, there is no other case pending or registered against the petitioner.

The prayer for bail is nevertheless opposed on behalf of the State by submitting that the recovery effected from the petitioner falls

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under the commercial quantity. Moreover, there is no bar that the police officials raiding the spot, could not use the vehicle owned by them. He also submits that charges stood framed on 22.02.2020.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.10.2019. Charges were framed on 22.02.2020. The recovery effected in the present case falls under the commercial quantity, but no witness has been examined so far and trial of the case is at a standstill. Moreover, the trial is unlikely to conclude any time soon, especially due to Covid-19. The petitioner is not involved in any other case. Therefore, no useful purpose would 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.

25.08.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No