

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-24069-2021 (O & M)

Date of Decision: July 05, 2021

HARBHAJAN SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Munish Raj Chaudhary, 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.173 dated 08.11.2019, under Section 15 of the NDPS Act, registered at Police Station Sadar Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that neither is the petitioner named in the FIR nor any recovery has been effected from him. It is alleged that 55 kgs 300 grams of poppy husk was recovered from Panchayati Dharamshala of village Jhorar. The petitioner was arraigned as an accused on the statement of co-accused Sarabjit Singh. He, however, contends that Sarabjit Singh has not named the petitioner as an accused as stated by him in his affidavit. A copy of the affidavit is annexed as Annexure P-2. He also contends that the petitioner is in custody for over 01 month and is not involved in any other case under the NDPS Act.

Learned State counsel upon instructions from ASI Baljeet Singh states that the petitioner has been arraigned as an accused on the statement of Sarabjit Singh and Amritpal Singh recorded under Section 161 Cr.P.C.

In view of the above, especially when no recovery has been effected from the petitioner, he is in custody for over 01 month, 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 05, 2021
A.Kaundal

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