

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 25932 of 2021

Date of Decision: 15.7.2021

Narinder Kumar @ Neetu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. P.S.Sekhon, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 109 dated 27.6.2020 under Sections 22, 25 and 29 of the NDPS Act, 1985 registered at Police Station City-2, Mansa, District Mansa.

Custody certificate by way of affidavit of Deputy Superintendent, District Jail, Mansa has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that the petitioner is physically handicapped being 52% disabled from both his legs and thus, unable to move. The petitioner being immobile, his participation in the crime does not stand to the common logic. Besides, the petitioner has been in custody for the last 01 year and 14 days.

On the other hand, learned State counsel opposes the bail

application and submits that the recovery effected from the petitioner falls under the commercial quantity. He further submits that in the present case, charges have been framed and the evidence is yet to be recorded.

I have heard the learned counsel for the parties.

As per the custody certificate, the petitioner has been in custody for the last 01 year and 14 days and there is no other case against him. In the present case, charges have been framed but the evidence is yet to commence. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

July 15, 2021
Gurpreet

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