

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-22061-2020

DATE OF DECISION: 15.01.2021

MANISH KUMAR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.201 dated 29.12.2018, under Sections 15 & 29 of the NDPS Act, 1985, registered at Police Station Bhogpur, District Jalandhar (Rural).

Learned counsel for the petitioner contends that it is alleged that a truck being driven by the petitioner containing apples had been apprehended and several bags of poppy husk were recovered. He further contends that the petitioner is a truck driver and is the sole bread winner of his family. The petitioner is in custody for over 2 years and is not involved in any other case under the NDPS Act.

Learned State counsel, upon instructions from SI Sukhjit Singh, contends that 856 kg. poppy husk has been recovered from a truck being driven by the petitioner. He further contends that the petitioner was arrested at the spot on 29.12.2018. He also contends that although challan has been filed but none out of the 20 prosecution witness has been examined.

Heard through video conferencing.

In view of the above, especially when the petitioner is a truck driver, he is in custody for over 2 years and is not involved in any other case under the NDPS Act, 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

18.01.2021

SwarnjitS

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