

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-29668-2021 (O & M)
Date of Decision: August 04, 2021**

KASHMIRI LAL @ KASHMIR

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Kuljit Singh Bal, 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.96 dated 25.05.2008, under Sections 15, 25 and 29 of the NDPS Act, registered at Police Station Civil Lines, Batala, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused from whom 210 kgs of poppy husk was allegedly recovered. No recovery has been effected from the petitioner. The petitioner had been declared as a proclaimed offender earlier as he was not aware that he is being arraigned as an accused in the case. He is in custody for over 02 years and 02 months after his arrest. He is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 02 years, 02 months and 24 days. He upon instructions from ASI Hardeep Singh states that 09 out of 12 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 02 years and 02 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.

However, the petitioner shall appear before the Police Station Civil Lines, Batala, District Gurdaspur on every alternate Monday till the conclusion of the trial. He shall also furnish his mobile number to the SHO of the concerned police station and keep the location of his phone on.

(ANUPINDER SINGH GREWAL)
JUDGE

August 04, 2021
A.Kaundal

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