

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-24783-2020

DATE OF DECISION: 19.02.2021

PALWINDER SINGH @ PINDI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A.P.S. Sandhu, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.0046 dated 18.02.2019, under Sections 21, 25, 27 & 29 of the NDPS Act, 1985, registered at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar.

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused on the statement of the co-accused. The petitioner was undergoing life imprisonment in another case at the time of the recovery in the instant case. Recovery has been effected from the co-accused. The petitioner was arrested on 22.02.2019 and is in custody for about 2 years. No recovery of any contraband has been effected from the petitioner in the instant case.

Learned State counsel, upon instructions from ASI Raj Kumar, contends that recovery of mobile phone has been effected from the petitioner which he was using in jail and action had been initiated against the jail official as per affidavit filed by the ADGP, Prisons. He further states that the

petitioner is also involved in other cases. He has been convicted in FIR No.83 dated 22.05.2016 under Section 302 IPC and sentenced to undergo life imprisonment. He also states that challan has been filed but no prosecution witness has been examined.

Heard.

In view of the above, especially when no recovery has been effected from the petitioner, 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

19.02.2021

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No