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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(Through video conferencing)

**CRM-M No.30934 of 2021
Date of Decision: 22.09.2021**

JASPREET SINGH @ JASS

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Charanpreet Singh, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.21 dated 23.02.2021 registered under Section 15-C of the NDPS Act, 1985 at Police Station, Division No.1, District Ludhiana.

As per prosecution case, 51 kgs. of poppy husk was allegedly recovered from the car.

Learned counsel for the petitioner submits that the recovery is marginally in excess of the quantity prescribed for

commercial quantity. Learned counsel refers to **Shinda vs. State of Punjab, 2013(3) R.C.R. (Criminal) 557** and **Lakhwinder Singh @ Bittu vs. State of Punjab, 2012(22) R.C.R. (Criminal) 301**. Co-accused Himesh Charan @ Sajjan and Harpreet Singh @ Jagga have been granted regular bail vide orders dated 28.06.2021 and 20.07.2021 passed in **CRM-M No.21363 of 2021** and **CRM-M No.20719 of 2021** respectively.

The factual position of the case is not in dispute. However, learned State counsel submits that the petitioner is also involved in one more case under Excise Act, in which he has been released on probation. No prosecution witness has been examined so far after framing of charges.

Petitioner is in custody for the last 6 months and 26 days as on 21.09.2021. Trial of the case may take sometime in its culmination.

In view of aforesaid facts and in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail, without adverting to the merits of the case. This petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

September 22, 2021	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No