

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-25710-2020

DATE OF DECISION: 10.11.2021

SOM DUTT ALIAS SONU

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 212 dated 15.05.2018, under Sections 20, 29 (Act No.61) of the NDPS Act, 1985, registered at Police Station Rai, District Sonapat.

Learned counsel for the petitioner contends that no recovery has been effected from the petitioner in the instant case. He further contends that it is alleged that 62 kg 'ganja pati' had been recovered from a parcel which was couriered. He, however, contends that the alleged recovery is stated to have taken place on 15.05.2018 while the petitioner was taken in custody in another case on 07.05.2018 wherein recovery of 45 'ganja' was effected from him. The petitioner is in custody for over 3 years and 3 months and the trial has come to a standstill due to Covid-19 pandemic.

Learned State counsel, while referring to the reply, states that the recovered substance had been couriered to the petitioner and as he was in jail it could not be delivered to him. He also contends that 4 out of 26 prosecution witnesses have been examined. He has filed custody certificate which indicates that the petitioner is in custody for a period of 3 years, 3 months and 22 days.

Heard.

In view of the above, especially when the petitioner is in custody for over 3 years and 3 months, 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.

The SHO, Police Station, Rai, Sonapat shall be informed about the release of the petitioner. The petitioner shall appear before the SHO, Police Station Rai, Sonapat every alternate Monday till the conclusion of the trial. He shall also furnish his mobile number to the SHO and keep his mobile phone location on.

(ANUPINDER SINGH GREWAL)
JUDGE

10.11.2021

SwarnjitS

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