

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

239

CRM-M-35105-2021

DATE OF DECISION: 07.12.2021

TOTA SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Kanwaljeet Singh Brar, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.122 dated 12.06.2021, under Sections 22 and 15 of the NDPS Act, 1985 (Section 29 of the NDPS Act added later on), registered at Police Station City Kotakpura, District Faridkot.

Learned counsel for the petitioner contends that neither the petitioner is named in the FIR nor any recovery has been effected from him. He has been arraigned as an accused on the statement of co-accused. Besides the statement of co-accused, there is no *prima facie* material, which would connect the petitioner with the commission of the offence. He is in custody for about 5 ½ months since his arrest on 17.06.2021.

Learned State counsel contends that the petitioner is also involved in other cases. She 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, he is in custody for over 5 ½ 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.

(ANUPINDER SINGH GREWAL)
JUDGE

07.12.2021

SwarnjitS

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