

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 31517 of 2020
Date of Decision: 26.2.2021**

Gurjinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Nav Chahal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 106 dated 28.7.2019 under Section 22/61/85 of the NDPS Act registered at Police Station Sadar Ludhiana, District Ludhiana.

Custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Ludhiana has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that the recovery effected from the petitioner is marginally higher than the commercial quantity and he has been in custody since 16.12.2019. He further submits that the petitioner is a widower and has two sons, who are being looked after by the NGOs. Learned counsel further submits that in another FIR No. 18 dated 02.3.2004, under Sections 363, 366 IPC, registered at Police Station Dakha, District Ludhiana, the petitioner has been granted bail.

Learned State counsel has not disputed the fact that in case FIR

No. 18 dated 2.3.2004, the petitioner has been granted bail, however, he submits that commercial quantity of the contraband was recovered from the petitioner. He further submits that in the present case, challan stands presented.

I have heard heard the learned counsel for the parties.

As per the custody certificate, the petitioner has been in custody for the last 01 year, 03 months and 14 days. Challan has already been presented in the present case. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

February 26, 2021
Gurpreet

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