IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

238 **CRM-M-40543-2021**
DATE OF DECISION: 23.11.2021

BARKAT ALI **… Petitioner(s)**

Versus

STATE OF PUNJAB **... Respondent(s)**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Karambir Singh, AAG, Punjab.

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ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is regular bail in FIR No.37 dated 05.03.2020, under Sections 22 of the NDPS Act, 1985, registered at Police Station Kharar, District SAS Nagar Mohali.

Learned counsel for the petitioner contends that the alleged recovery of 4800 Lomotil tablets with a total weight of 297.6 grams was effected from a car which does not belong to the petitioner. He further contends that the petitioner is alleged to be sitting in the car on the passenger seat. He is not involved in any other case under the NDPS Act. He is in custody for over 1 year and 8 months.

Learned State counsel contends that the petitioner is in custody since his arrest on 05.03.2020. He also contends that charges have been framed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 1 year and 8 months, he is not involved in any other case under the NDPS Act, the COVID-19 pandemic and the conclusion of the trial is likely to

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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

23.11.2021
SwarnjitS

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

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