

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

203/2

CRM-M-34374-2020

DATE OF DECISION: 02.07.2021

BHAG CHAND @ BHAGA

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vimal Kumar Gupta, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.421 dated 30.11.2019, under Section 15 of the NDPS Act, 1985, registered at Police Station Pinjore, District Panchkula.

Learned counsel for the petitioner contends that neither the petitioner is named in the FIR nor any recovery has been effected from him. He was arraigned as an accused on the statement of the co-accused Jaswant who was apprehended along with a truck containing 40 bags of poppy husk (25 kg) each. No recovery was effected from the petitioner even after his arrest. The petitioner is in custody for over 1 year and 4 months.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for a period of 1 year, 4 months and 22 days. She, upon instructions from SI Yog Gyan, contends that charges have been framed but no prosecution witness has been examined. She, however, contends that the petitioner was in touch with the other accused from whom recovery has been effected. She also contends that although there is no other

case against the petitioner in the State of Haryana but in Rajasthan, he is involved in other cases, the details of which are not available.

Heard.

In view of the above, especially when no recovery has been effected from the petitioner, he is in custody for over 1 year and 4 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

02.07.2021

SwarnjitS

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