

216.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34988-2020

Date of decision: 18.02.2021.

NAIB SINGH

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Manvinder Sidhu, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana
with ASI Bhupinder Singh.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

This is second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.0109 dated 22.11.2019 registered under Section 22(b) of NDPS Act, 1985 at Police Station Rori, District Sirsa, during the pendency of trial.

The earlier petition filed by the petitioner i.e. **CRM-M-11349-2020** was dismissed as withdrawn vide order dated 04.06.2020.

The allegation against the petitioner is that he was found in possession of 69 strips of TREDOL-100 in three cardboard boxes, each strip contains 10 tablets and the weight comes to 591.33 grams.

Counsel for the petitioner has argued that apart from the fact that there is no other case against the petitioner, he is in custody for 1 year

and 3 months. Challan in the case has been presented on 15.05.2020 and charges are yet to be framed.

Learned State counsel does not dispute the custody and the quantity.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is not involved in any other case and trial will take long time, as only challan has been presented and the case is fixed for framing of charges on 24.03.2021, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

18.02.2021
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.