

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-35834-2020 (O & M)
Date of Decision: December, 01, 2021

AMARJIT SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Lakshay Bector, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.44 dated 29.03.2020, under Section 22 of the NDPS Act and Section 188 IPC, registered at Police Station Dakha, District Ludhiana.

Learned counsel for the petitioner contends that the alleged recovery of intoxicant tablets containing tramadol with total weight of approximately 355 grams is effected from the petitioner. He also contends that there is a violation of Section 50 of the NDPS Act inasmuch as the person of the petitioner was searched by an ASI and not by a Gazetted Officer. In support of his submission, he has placed reliance upon the judgment of this Court passed in CRM-M-27074-2021 titled as **Shifali @ Punam Singh versus State of Punjab**. He also contends that the petitioner is involved in two other cases wherein recovery of 4.5 kgs and 5 kgs poppy husk was effected in the year 2015. After 2015, he has not involved in any other case; besides, the instant case. The petitioner is in custody for over 01 year and 08 months.

Learned State counsel states that 02 out of 15 prosecution witnesses have been examined. He further contends that as the petitioner is involved in two other case, he is not entitled to the concession of regular bail.

Heard.

In view of the above, especially when the petitioner is in custody for over 01 year and 08 months, 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 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.

At the time of release of the petitioner, the SHO of the Police Station Dakha, District Ludhiana shall be informed and the petitioner shall furnish his mobile number to him. He shall keep the location of his phone on. He shall also appear before the Police Station Dakha, District Ludhiana on every alternate Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

December, 01, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No