

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

218

CRM-M-35455-2020

DATE OF DECISION: 16.03.2021

RAJ KUMAR @ RAJU

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Baljeet Singh Kathuria, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.23 dated 15.02.2017, under Sections 15/29 of the NDPS Act, 1985, registered at Police Station Balachaur, District SBS Nagar.

Learned counsel for the petitioner contends that 3 bags with a weight of 18 kg each containing poppy seeds were allegedly recovered. He further submits that the petitioner and two accused were arrested at the spot while fourth accused was stated to have run away. He also contends that if the recovery is divided between three accused, it would be less than the commercial quantity. The petitioner is in custody for over 4 years. The co-accused Mandeep Kumar, Sukhraj @ Sukha and Kuldeep Singh @ Bhuri have been granted regular bail by this Court in CRM-M-21344-2017 on 14.09.2017, CRM-M-33422-2017 on 15.09.2017 and CRM-M-45534-2017 on 08.12.2017 respectively.

Learned State counsel, upon instructions from ASI Jarnail Singh, contends that all the prosecution witnesses have been examined. He also contends that the petitioner is involved in other cases.

Heard.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 4 years, the co-accused have been granted bail, 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.

Learned counsel for the petitioner undertakes that the petitioner shall be present in Court on each and every date of hearing and would not request for any unwarranted adjournment.

(ANUPINDER SINGH GREWAL)
JUDGE

16.03.2021.

SwamjitS

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