

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-32379-2019

Date of decision : 09.12.2021

Sunil Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Kushaldeep Singh Sandhu, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.201 dated 30.06.2018 under Sections 21/27/29 of the NDPS Act and Section 304 IPC registered at Police Station Sidhwan Bet Ludhiana, District Ludhiana.

Learned counsel for the petitioner contends that it is alleged in the FIR that the son of the complainant had died due to overdose of drugs. The petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused Harpreet Singh @ Gulzari. It is alleged that on the statement of the petitioner, 255 grams of heroin was recovered in a polythene bag buried in soil near motor of co-accused Harpreet Singh @ Gulzari. No recovery has been effected from the petitioner. The petitioner is also involved in another case under the NDPS act wherein recovery of 11 grams heroin (non-commercial quantity) was effected from the petitioner. The petitioner has been arraigned as an accused in the instant case as he was earlier a drug addict. The petitioner is in custody for over three years and five months since his arrest on 09.07.2018.

Learned State counsel, upon instructions from ASI Jaswant Singh, states that although challan has been filed but no prosecution witness has been examined so far.

Heard.

In view of the above especially when the petitioner is in custody for over three years and five 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

December 09, 2021

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