

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

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CRM-M-36335-2020 (O&M)

Date of decision : 13.01.2021

Lakhwinder Singh @ Lakha

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. H.S. Dhindsa, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.01 dated 02.01.2020 under Sections 15, 29, 27-A, 61, 85 of the NDPS Act registered at Police Station Nangal Bhoor, District Pathankot.

Learned counsel for the petitioner contends that it is alleged that a truck containing 247 kg. poppy husk was apprehended. Learned counsel, *inter alia*, contends that the petitioner is 65 years of age and is in custody for over a year. The petitioner is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate in Court through e-mail, which indicates that the petitioner is in custody for 01 year and 09 days as on 12.01.2021. He, upon instructions from ASI Rakesh Kumar, contends that although challan has been filed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the above especially when the petitioner is 65 years of age, he is in custody for over a year, he is not involved in any other case under the NDPS Act, 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

January 13, 2021
sonia gugnani

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