

In the High Court of Punjab and Haryana at Chandigarh

225

CRM-M-37275-2020 (O & M)
Date of Decision: November 25, 2021

MANGAL RAM

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Nitin Rampal, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.19 dated 08.02.2020, under Section 22 of the NDPS Act, registered at Police Station Kabarwala, District Shri Muktsar Sahib.

Learned counsel for the petitioner contends that the alleged recovery of commercial quantity of tramadol and Alprazolam tablets, has been effected by the police personnel, who had come on a private vehicle. The details of the vehicle and the receipt of its payment were not entered in the record, which is in violation of the guidelines issued by the Director General of Police, Punjab on 04.05.2015. He has referred to the judgments of the Coordinate Benches of this Court in the cases of **Sharna Ram versus State of Punjab** passed in CRM-M-14595-2020 on 19.11.2020; **Amandeep Kaur alias Kalo versus State of Punjab** passed in CRM-M-29004-2019 on 19.11.2019 and **Rajwinder Singh alias Raju versus State of Punjab** passed in CRM-M-

2396-2020 on 07.02.2020 wherein in somewhat similar circumstances, when the police officials had used the private vehicles and the details were not entered in the record, the accused therein had been granted regular bail. The petitioner is in custody for over 09 months and is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 09 months and 15 days. She states that although the challan has been filed but no prosecution witness has been examined. She, however, contends that the petitioner is also involved in another case under the Excise Act.

Heard.

In view of the above, especially when the petitioner is in custody for over 09 months, he is not involved in any other case under the NDPS Act, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

November 25, 2021
A.Kaundal

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