

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

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CRM-M-38548-2020

Date of decision : 03.11.2021.

Naseeb Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. K.P.S. Virk, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.06 dated 20.03.2017 under Sections 21/25/29/61 of the NDPS Act registered at Police Station SSOC Amritsar, District Amritsar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused Ranjit Singh from whom 650 gram of heroin was recovered. No recovery has been effected from the petitioner. Besides the statement of co-accused, there is no *prima facie* case which would connect the petitioner with the commission of offence. He also contends that the petitioner is in custody for over four years and six months. The petitioner is involved in two other cases under the NDPS Act on the statement of co-accused and no recovery was effected from him in those cases as well while he was acquitted in one of the NDPS cases.

Learned State counsel, upon instructions from ASI Karnail Singh, states that 04 out of 15 prosecution witnesses have been examined. He has

filed the custody certificate in Court, which indicates that the petitioner is in custody for 04 years, 06 months and 11 days as on 02.11.2021. he, while referring to the custody certificate, states that the petitioner is involved in two other cases under the NDPS Act and he is acquitted in third case.

Heard.

In view of the above especially when no recovery has been effected from the petitioner, he is in custody for over four years and six 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.

However, the petitioner shall appear before the In-charge, Police Station SSOC, Amritsar on every alternate Monday. At the time of release of the petitioner, the In-charge concerned shall be informed and the petitioner shall furnish his mobile number to him. The petitioner shall also keep the location of his phone on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

November 03, 2021
sonia gugnani

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