

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

220/2

CRM-M-39239-2020
DATE OF DECISION: 07.12.2021

GURJANT SINGH @ BHOLU

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Rishma Verma, Advocate for the petitioner.

Mr.Karanbir Singh, AAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.209 dated 26.12.2019, under Sections 29/21/61/85 of the NDPS Act, 1985, registered at Police Station Kartarpur, District Jalandhar Rural (Annexure P-1).

Learned counsel for the petitioner contends that although the petitioner has been named in the secret information but no recovery has been effected from him. She further contends that the petitioner was in custody in another case when the FIR was lodged in the instant case after recovery had been effected from co-accused Gaurav Chauhan. No recovery has been effected from the petitioner in the instant case. He is in custody for over 1 ½ years since his arrest on 11.07.2021. The petitioner is also involved in other cases including cases under the NDPS Act. She also contends that co-accused Balraj Singh from whom no recovery has been effected, has been granted regular bail by the coordinate Bench of this court in CRM-M-26030-2020. Balraj Singh has been convicted in another case under the NDPS Act and was undergoing sentence of 10 years when he had been granted regular bail.

Status report by way of affidavit of DSP, Sub-Division Kartarpur, District Jalandhar (Rural) filed by the learned State counsel is taken on record which indicates that the petitioner is also involved in several other cases including those under the NDPS Act. Learned State counsel also contends that challan has been filed but charges are yet to be framed.

Heard.

In view of the above, especially when no recovery has the petitioner, co-accused has been granted regular 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.

(ANUPINDER SINGH GREWAL)
JUDGE

07.12.2021

SwarnjitS

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