

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-34063-2019 (O & M)

Date of Decision: May 28, 2021

LAKHWINDER SINGH @ KHANA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.26 dated 13.04.2019, under Section 22 of the NDPS Act, registered at Police Station Valtaha, District Tarn Taran.

Learned counsel for the petitioner contends that it is alleged that Tramadol tablets with a total weight of 1244.4 grams was recovered from him. The petitioner is also involved in another case under the NDPS Act wherein recovery is of non-commercial quantity and he is on bail in that case. He also contends that the son of the petitioner is suffering from brain tumor and had to be operated upon twice. He has filed the documents with regard to the medical condition of the son of the petitioner at Annexure A-1 (Colly.). He also contends that due to Covid-19 pandemic, the trial has come to stand still. The petitioner is in custody for over 02 years and 01 month.

Learned State counsel states that the recovery is heavy and the petitioner was arrested at the spot. He upon instructions from ASI Charan Singh states that 02 out of 09 prosecution witnesses have been examined.

Heard through video conferencing.

In view of the above, especially when the petitioner is in custody for over 02 years and 01 months, his son is unwell, 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.

However, the petitioner shall appear before the Police Station Valtoha, District Tarn Taran on every alternate Monday till the conclusion of the trial. He shall also furnish his mobile number to the SHO of the concerned police station and keep the location of his phone on.

(ANUPINDER SINGH GREWAL)
JUDGE

May 28, 2021
A.Kaundal

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