

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

**CRM-M-40320-2020
Date of decision: 18.03.2021**

Gurdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. S. Barnala, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 114 dated 08.08.2020, registered under Sections 22, 25 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Tapa Mandi, District Barnala.

Learned counsel for the petitioner submits that petitioner is aged about 72 years and in this regard, he has placed reliance upon the Aadhar Card of the petitioner. It is further submitted that petitioner is in judicial custody for the last about seven months and he has clear antecedents as he is not involved in any other case.

Learned counsel for the petitioner further submits that as per allegations in the FIR, on receiving a secret information that petitioner is carrying some intoxicant tablets, the police apprehended him and recovered 3500 tablets of Clovidol 100 SR.

Learned counsel further submits that challan stands presented, however, out of total 17 prosecution witnesses, none has been examined so far and it will take a long time in conclusion of trial.

Learned State counsel, on the basis of the custody certificate filed today, has not disputed the factual position. As per custody certificate, the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is an old aged man; he is not involved in any other case and also in view of the fact that conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

However, it is made clear that in case the petitioner is found involved in any other case under the NDPS Act subsequently, the prosecution will be at liberty to move an appropriate application for cancellation of the bail.

18.03.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No