

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-41724-2020 (O & M)
Date of Decision: February 15, 2021**

YOGESH KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Diksha Tuteja, Advocate and
Mr. D.N. Ganeriwala, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.303 dated 04.08.2019, under Sections 20-B of the NDPS Act, registered at Police Station Rewari City, District Rewari.

Learned counsel for the petitioner contends that the alleged recovery is 62.876 kgs of 'Ganja Patti'. She also contends that 'Ganja Patti' is not covered under the definition of cannabis as defined in Section 2 of the NDPS Act does not fall. The petitioner is in custody for over 01 year and 04 months. He is not involved in any other case under the NDPS Act.

Learned State counsel, however, contends that in FSL report, the recovered substance was 'Ganja'. He upon instructions from ASI Anil Kumar states that although the charges have been framed but no prosecution witness has been examined.

In view of the above, especially when the petitioner is in custody for over 01 year and 04 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

February 15, 2021
A.Kaundal

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