

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-41042-2020 (O & M)
Date of Decision: January 12, 2021

SUKHDEV SINGH @ SUKHA

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.358 dated 22.09.2020, under Section 22-C of the NDPS Act and Section 27-A/61/85 and Section 420 IPC added subsequently, registered at Police Station Sadar Fatehabad, District Fatehabad.

Learned counsel for the petitioner contends that the petitioner has neither been named in the FIR nor any recovery has been effected from him. The allegations are that recovery of 100 strips of tramadol with total weight of 585 grams was effected from co-accused Devender Singh alias Fauji, who had disclosed the name of the petitioner. The petitioner is in custody for over 02 months and not involved in any other case under the NDPS Act.

Learned State counsel upon instructions from ASI Mahavir Singh states that ₹1000/- has been effected from the petitioner. He also contends that the challan has not been filed as the report of the FSL is still awaited.

In view of the above, especially when no recovery has been effected from the petitioner, he has been arraigned as an accused on the statement of the co-accused, he is in custody for over 02 months, 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

January 12, 2021
A.Kaundal

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