

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

212

CRM-M-41381-2020 (O&M)

Date of decision : 19.03.2021.

Jagsir @ Jassi

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sandeep Siwach, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.269 dated 22.10.2020, under Section 22-C/61/85 of the NDPS Act (Section 27-A of the NDPS Act added later on), registered at Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner contends that the petitioner had been arrested by the police in FIR No.283 registered under various sections of the Indian Penal Code on 17.06.2020. After his arrest in that case, the petitioner was involved in the instant case and two other cases under the NDPS Act on the basis of the statement of co-accused. When the instant FIR was registered, the petitioner was in custody in FIR No.283. The petitioner was also involved in two other cases bearing FIR No.143 dated 29.06.2020 and FIR No.145 dated 30.06.2020, under the NDPS Act on the basis of statement of the co-accused. No recovery has been effected from the petitioner in any case under the NDPS Act and he is on bail in the aforesaid FIR Nos.143 and 145. He also contends that the petitioner is 19 years of age and is in custody for over 04 months in the instant case.

Learned State counsel, upon instructions from SI Pushpinder Kumar, contends that although challan has been presented but charges are yet to be framed. She, however, is not in a position to controvert the submissions of the counsel for the petitioner that the petitioner was involved in the instant case and other cases under the NDPS Act when he was in custody in FIR No.283 dated 17.06.2020 and that no recovery has been effected from the petitioner in any of three cases under the NDPS Act.

Heard through video conferencing.

In view of the above especially when the petitioner is 19 years of age, no recovery has been effected from him, he is in custody for over 04 months, 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

March 19, 2021

sonia gugnani

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