

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

228

CRM-M-42966-2020 (O&M)

DATE OF DECISION: 16.12.2021

JASWINDER SINGH @ LADDU

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. K.S. Brar, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.100 dated 24.08.2020, under Section 21 and 29 of the NDPS Act, 1985 registered at Police Station Special Task Force, District Mohali.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and was arraigned as an accused on the statement of the co-accused. The alleged recovery of 275 grams heroin has been effected from the petitioner. He also contends that the petitioner is disabled from both legs to the extent of 100% and cannot walk without help. He has referred to the disability certificate at Annexure P-2 issued from Civil Hospital, Ferozepur wherein it is mentioned that the petitioner is disabled from PDRP both lower limbs and spine and his disability is not less than 100 per cent as per definition in the Persons with Disabilities (Equal Opportunities) Protection of Rights and Full Participation Act, 1995. The petitioner is in custody for over 1 year and 3 months.

Learned State counsel, upon instructions from ASI Santokh Singh, contends that it has been verified that the petitioner is physically challenged. He is in custody for a period of 1 year, 3 months and 18 days. He is not involved in any other case under the NDPS Act. She also contends that none out of 10 prosecution witnesses has been examined. .

Heard.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is physically challenged, he is in custody for over 1 year and 3 months, he is not involved in any other case under the NDPS Act, 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.

Criminal miscellaneous application, if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

16.12.2021

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No