

CRM-M-43079-2020

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

CRM-M-43079-2020 (O & M)

Date of decision: 26.08.2021

Sanjay Nagpal @ Rippu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ranjan Lakhanpal, Advocate,
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G.Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-16617-2021

Prayer in the present application is for an early hearing of the
main petition.

Since the main petition is fixed for hearing today, itself, the
present application has become infructuous.

Disposed of accordingly.

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Through this petition, the petitioner seeks regular bail in case
bearing FIR No.84 dated 12.07.2020, registered at Police Station Special
Task Force, District Ludhiana, under Sections 21 and 29 NDPS Act.

Learned counsel for the petitioner contends that as per the
prosecution version, while acting on a tip-off, the police party laid a trap
and recovery of 300 gram heroin had allegedly been effected from the

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petitioner. The aforesaid recovery is marginally higher than the commercial quantity. The petitioner has been in custody since 12.07.2020. Co-accused, Dheeraj Kumar @ Dheeru stands released on regular bail by this Court vide order dated 01.07.2021 passed in CRM-M-38609-2020.

Conversely, piercing into the arguments of the learned counsel for the petitioner, learned State counsel submits that the proper procedure was adopted by the police while conducting the raid and the petitioner was arrested alongwith co-accused and the recovery of 580 gram of heroin was effected from both the accused. The petitioner is also involved in one another case of similar nature.

I have heard the learned counsel for the parties.

The recovery allegedly effected from the petitioner is marginally higher than the commercial quantity. The petitioner has been in custody since 12.07.2020. Trial of the case would take time to conclude, especially due to Covid-19. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

26.08.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No