

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

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**CRM-M-43789-2020 (O&M)
Date of Decision: 13.10.2021**

RASAMDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr.Laghuinder Singh Sekhon, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.95 dated 24.09.2020 under Section 22 of the NDPS Act, registered at Police Station SGN Dev Thermal Plant (Bathinda), District Bathinda.

Learned counsel for the petitioner contends that the alleged recovery which has been effected from the petitioner is 27 bottles of Wincirex (Cough Syrup) in a transparent bag. He also contends that there are arguable points inasmuch as Section 50 of the NDPS Act was not complied with as proper offer was not accorded to the petitioner. The petitioner is not involved in any other case under the NDPS Act. He is in custody for over a year. He further contends that it is unlikely that the person would be carrying contraband in a transparent bag. In support of his submission, he has cited judgments of this Court in **Chabha Ram versus State of Punjab** passed in CRM-M-13898-2020, wherein applicant who was apprehended with 355 grams of tramadol in a transparent polythene bag

was in custody for 01 year, 20 days and was granted regular bail. In

Gursant Singh @ Santu vs. State of Punjab passed in CRM-M-37944-2020, petitioner therein who was apprehended with 12,000 clovidol tablets in a transparent polythene bag and was in custody for 01 year, 03 months had been granted regular bail.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 01 year and 16 days. He on instructions from ASI Navyugdeep contends that Challan has been filed but no prosecution witness has been examined so far.

In view of the above, especially when the petitioner is in custody for over a year, 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

October 13, 2021

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