

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

214

CRM-M-49816-2019
DATE OF DECISION: 02.03.2021

KULDEEP KUMAR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.261 dated 22.08.2019, under Section 22 of the NDPS Act, 1985 and Section 61 of the Punjab Excise Act, 1914, registered at Police Station Talwandi Sabo, District Bathinda, Punjab.

Learned counsel for the petitioner contends that the alleged recovery of intoxicant tablets of Tramadol containing total weight of 380 grams and 48 bottles of country made liquor meant for sale in Haryana was effected from the petitioner. He further contends that the petitioner is not involved in any other case under the NDPS Act although there are other cases under the Excise Act.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 1 year, 6 months and 6 days. He, upon instructions from ASI Gobind Singh, contends that although challan has been filed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the above, especially when the petitioner is in custody for over 1 year and 6 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.

(ANUPINDER SINGH GREWAL)
JUDGE

02.03.2021

SwarnjitS

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