

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

201

CRM-M-1453-2020 (O&M)

Date of decision : 25.05.2022

Surjit Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Ms. Kuljit Kaur Sandhu, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.68 dated 09.07.2018 under Section 22 of the NDPS Act (Section 29 of the NDPS Act added later on), registered at Police Station Lohian, District Jalandhar.

Learned counsel for the petitioner contends that the alleged recovery of intoxicant tablets containing Tramadol with a total weight of 3120 grams approximately was effected from the petitioner. The petitioner is in custody for over three years and nine months. The petitioner is stated to be involved in two other cases under the NDPS Act wherein recovery is of non-commercial quantity. The wife of the petitioner is suffering from chronic cholecystitis with cholelithiasis dilated CBD with choledocholithiasis and had been granted interim bail by this Court in CRM-1837 of 2021 on 28.02.2022 to enable him to attend to his wife. The children of the petitioner are stated to be minor.

Learned State counsel, upon instructions from ASI Sarbjit Singh, states that four out of ten prosecution witnesses have been examined. He, however, is not in a position to controvert the submissions of learned counsel for the petitioner. He has filed custody certificate in Court in Court, which indicates that the petitioner is in custody for 03 years, 09 months and 12 days as on 24.05.2022.

Heard.

The petitioner is in custody for over three years and nine months. His wife is suffering from chronic cholecystitis with cholelithiasis dilated CBD with choledocholithiasis and had been granted interim bail by this Court for a period of one month to enable him to attend to his wife. He is stated to have surrendered on 02.04.2022 and therefore, has not misused the concession of bail.

In view of the above especially when the petitioner is in custody for over three years and nine 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.

At the time of release of the petitioner, the SHO, Police Station Lohian, District Jalandhar would be informed and the petitioner shall furnish his mobile number to the SHO and keep his mobile location on till the

conclusion of the trial. He shall also appear before the Police Station on first Monday of every month till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

May 25, 2022
sonia gugnani

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