

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

239

**CRM-M-1968-2022
Date of decision : 20.01.2022**

MANINDER SINGH

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Ms. Gurvir Kaur Gill, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

(Through video conferencing)

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.149 dated 16.11.2021 under Section 21 of NDPS Act, 1985, registered at Police Station Shambhu, District Patiala.

Learned counsel for the petitioner argues that in the present case, concededly the recovery of the contraband is of non-commercial in nature and the other co-accused namely Pintu Tiwari and Amarjeet Singh have already been extended the concession of regular bail by the trial Court and therefore, the petitioner who was only a passenger in the car from which the recovery was done from the dash board, may kindly be extended the concession of regular bail.

Learned State counsel submits that though, as per the facts which have come on record, the petitioner is not the owner of the car from which the recovery has been done and the recovery of the contraband non-commercial in nature which was effected from the dash board of the car but, the claim of the petitioner that he is innocent, is totally incorrect and false. Learned State

counsel concedes the factum that the other co-accused of the petitioner have already been extended the concession of regular bail by the trial Court.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the car from which the recovery has been done does not belong to the petitioner and the recovery of the contraband is not commercial in nature coupled with the fact that the other co-accused, have already been extended the concession of regular bail by the trial Court and as the trial is likely to take some time though, the allegations alleged against the petitioner are yet to be proved during the trial and the trial is likely to take some time before it concludes especially keeping in view the situation of pandemic of Covid-19, no useful purpose will be achieved in keeping the petitioner behind the bar during the entire period of trial.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

20.01.2022

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Whether speaking/reasoned	Yes
Whether Reportable :	No