

In the High Court of Punjab and Haryana at Chandigarh

208

CRM-M-5173-2022 (O & M)

Date of Decision: May 12, 2022

NINDER SINGH @ NINDU

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Harpreet Kaur, Advocate for the petitioner.

Mr. T.P.S. Chawla, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.117 dated 28.04.2020, under Section 21 of the NDPS Act and Section 188 IPC, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner contends that it is alleged that the petitioner on spotting the police party had thrown away the packet on the road which was found to contain 310 grams of heroin. She, however, contends that the petitioner was also implicated in another case on the basis of statement of co-accused from whom recovery had been effected. The petitioner had been granted anticipatory bail by the Coordinate Bench of this Court in CRM-M-46561-2019 on 18.12.2019. The petitioner is in custody for over 02 years.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 02 years and 10 days. He also submits that several of the petitioner's family members are also involved in cases under the NDPS Act and, therefore, the petitioner should not be granted the concession of regular bail. He upon instructions from ASI Gurmail Singh states that 07 out of 13 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 02 years, 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.

At the time of release of the petitioner, the SHO, Police Station Sultanpur Lodhi, District Kapurthala shall be informed and the petitioner shall furnish his mobile number to him and keep the location of his phone on. He shall appear before the Police Station Sultanpur Lodhi, District Kapurthala on first Monday of every month till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

May 12, 2022
A.Kaundal

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