

**In the High Court of Punjab and Haryana at Chandigarh**

**203**

**CRM-M-7825-2021 (O & M)**

**Date of Decision: May 25, 2022**

**TONY SINGH @ TONA**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr.Sandeep Verma, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

The petitioner is seeking regular bail in FIR No.49 dated 12.04.2020, under Sections 21, 27, 27-A, 29 of the NDPS Act (Section 31 of the NDPS Act added later on), registered at Police Station Special Task Force, District Mohali.

Learned counsel for the petitioner contends that it is alleged that the petitioner along with 03 other accused were sitting and a polythene bag containing 300 grams of heroin and ₹5 lacs in cash was placed near them. He, however, contends the prosecution story is improbable and in case recovery is divided among four accused, it would be less than the commercial quantity. The petitioner is in custody for over 02 years and 01 month. He was also involved in another case wherein recovery of 2 kgs of poppy husk (small quantity) was effected from him. He further contends that co-accused Krishna Devi has been granted regular bail by this Court in CRM-17345-2021 on 16.07.2021.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 02 years, 01 month and 10 days. He upon

instructions from Sub Inspector Jagdev Singh states that although the charges have been framed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 02 years and 01 month, co-accused has been granted bail, 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**

**May 25, 2022**  
**A.Kaundal**

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