

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21750-2021 (O&M)
Date of decision: 11.03.2022

Varinder Singh @ Binda

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.K. Mehta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.235 dated 04.12.2020 under Section 22 of NDPS Act, registered at Police Station City Nawanshahr, District SBS Nagar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of ASI Sukhdev Singh, the petitioner was apprehended on suspicion of carrying intoxicant injections. Thereafter, a ruqa was sent to the police station and ASI Parshotam Lal reached at the spot and after giving a notice under Section 50 of NDPS Act, 55 injections of Avil and 55 injections of Buprenorphine, total 110 injections, were recovered. It is further submitted that the petitioner is in custody for the last 01 year, 03 months

and 05 days; he is first offender; challan has been presented, however, the charges are yet to be framed; trial is delayed due to COVID-19 situation, therefore, it will take some time in conclusion of the trial.

Learned State counsel has referred to the reply by way of affidavit of Deputy Superintendent of Police, Sub Division Nawanshahr, in which after verifying the contents of the FIR, it is stated that recovery falls in the commercial quantity, however, it is not disputed that till date, charges have not been framed and custody of the petitioner is more than 01 year, 03 months and he is not involved in any other case. It is submitted total 14 prosecution witnesses are cited in the report under Section 173 Cr.P.C. and the evidence will start after framing of the charge.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

11.03.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No