

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24402-2021 (O&M)
Date of decision: 25.04.2022

Vijay Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Pankaj Garg, 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.81 dated 13.05.2020 under Sections 22/29/61/85 of NDPS Act, registered at Police Station Bhikhi, District Mansa.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of ASI Deep Singh, while on patrol duty, a person was noticed having a black coloured polythene bag in his right hand. On suspicion, he was apprehended and an information was sent to the police station for registration of FIR. Thereafter, an officer of the rank of SI was deputed and he gave a notice to be searched before a Magistrate or Gazetted Officer. Thereafter, DSP was called at the spot and 1320 tablets of Alprazolam were recovered. It is further submitted that the petitioner was granted the concession

of interim bail awaiting the FSL report and has not misused the same and surrendered back in time. It is also submitted that the petitioner is in custody for the last 01 year, 04 months and 25 days; he is first offender; out of total 13 prosecution witnesses, only 01 PW has been examined so far and the trial is delayed substantially due to COVID-19 situation.

Learned State counsel, on the basis of the custody certificate, has not disputed the factual position.

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 bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

[ARVIND SINGH SANGWAN]
JUDGE

25.04.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No