

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

205

CRM-M-23522-2022

Date of decision : 26.07.2022

Harish Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.284 dated 17.09.2020, under Sections 21(b), 22(c) 29, 31 of the NDPS Act registered at Police Station City Kapurthala.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statements of co-accused Bikramjit Singh @ Bikka and Sanjeev Kumar @ Jony. Bikramjit Singh @ Bikka was apprehended along with 50 grams heroin and 260 grams intoxicant substance (Alprazolam) while Sanjeev Kumar @ Jony was apprehended along with 50 grams heroin and 270 grams intoxicant substance (Alprazolam). No recovery was effected from the petitioner even after his arrest in the instant case. He also contends that the petitioner was involved in other cases under the NDPS Act but he is acquitted in those cases except in a case pertaining to recovery of 300 grams charas (non-commercial quantity) in which he has already undergone the sentence. He was also implicated in another case bearing FIR No.49 dated 15.03.2020, under Sections 21, 25 of the NDPS Act, Police Station Shahkot, District Jalandhar wherein he has been granted regular bail by the Coordinate Bench in CRM-M-14170 of 2020, on 09.03.2021. The petitioner had been

granted regular bail by this Court on 06.07.2021 and he had been appearing before the trial Court but due to communication gap and Covid-19 pandemic, he could not appear in the months of December, 2021 and January, 2022 and consequently, his bail bonds were cancelled.

Learned State counsel, upon instructions from ASI Kulwinder Singh, states that although challan has been filed but charges are yet to be framed. He also contends that as the petitioner is also involved in other cases under the NDPS Act, he should not be granted the concession of regular bail.

Heard.

In view of the above especially when no recovery has been effected from the petitioner, the 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 instant 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.

However, the petitioner shall appear before the Police Station City, District Kapurthala on every alternate Monday, he shall also furnish his mobile number to the concerned SHO and shall keep the location of his phone on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

July 26, 2022
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No