

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-39185-2021 (O & M)
Date of Decision: May 05, 2022**

DAYA KISHAN ALIAS MANOJ

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.08 dated 09.01.2021, under Sections 20 and 61 of the NDPS Act (Section 20-A of the NDPS Act added later on), registered at Police Station Jhojhu Kalan, District Charkhi Dadri.

Learned counsel for the petitioner submits that it is alleged that the petitioner was travelling in a vehicle wherein 4 kgs 400 grams of charas was recovered under the seat. The petitioner is neither the owner nor the driver of the vehicle. He is in custody for over 01 year and 02 months. He is not involved in any other case under the NDPS Act. He further submits that the petitioner had earlier been granted interim bail to attend the marriage of his sister and had promptly surrendered in terms of the order of this Court.

Learned State counsel while referring to the reply filed in Court today submits that 03 persons including the petitioner were travelling in the vehicle from where contraband was recovered. He upon instructions states that charges have been framed but none of the 17 prosecution witnesses have been

examined. He has filed the custody certificate which indicates that the petitioner is in custody for 01 year, 02 months and 14 days.

Heard.

In view of the above, especially when the petitioner is in custody for over 01 year and 02 months, he is not involved in any other case under the NDPS Act, 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 05, 2022
A.Kaundal

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