

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

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CRM-M-42523-2021

Date of decision : 28.01.2022.

Krishan Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Simrandeep Singh Sandhu, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.65 dated 07.09.2021, under Sections 22, 25, 61, 85 of the NDPS Act, registered at Police Station Rureke Kalan, District Barnala.

Learned counsel for the petitioner contends that it is alleged in the FIR that the recovery of 60 intoxicant tablets containing Tramadol was allegedly effected from the petitioner which is less than the commercial quantity. The petitioner is in custody for over four months and is not involved in any other case under the NDPS Act. Learned counsel has relied upon the judgments of the Coordinate Benches of this Court in the case of **Kashmir Singh vs. State of Punjab**, in CRM-M-7437 of 2019, decided on 21.02.2019, the petitioner therein had been granted regular bail as he was in custody for over seven months and the judgment in the case of **Karaj Singh versus State of Punjab**, in CRM-M-23811 of 2018, decided on 09.07.2018, the petitioner

therein had been granted regular bail after custody of six months. Co-accused Jagtar Singh @ Babbu has been granted regular bail by this Court in CRM-M-15449-2021 on 10.12.2021.

Learned State counsel, upon instructions from ASI Manjit Singh, states that although challan has been filed but charges are yet to be framed.

Heard.

In view of the above especially when the recovery is of non-commercial quantity, the petitioner is in custody for over four months, he is not involved in any other case under the NDPS Act, the judgments of the Coordinate Benches of this Court, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

January 28, 2022

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