

In the High Court of Punjab and Haryana at Chandigarh

204

CRM-M-9063-2021 (O & M)

Date of Decision: January 30, 2023

NIRMAL DASS @ NIMMA

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Mandeep Singla, Advocate and
Mr. S.S. Rana, Advocate for the petitioner.

Mr. Arun William, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.47 dated 24.05.2019, under Sections 21, 25 and 31 of the NDPS Act, registered at Police Station Sadar Nawanshahar, District SBS Nagar.

Learned counsel for the petitioner submits that the alleged recovery of 275 grams of heroin has been effected from the petitioner. The petitioner is in custody for over 03 years and 07 months and the trial is not making any headway. He also submits that the petitioner is convicted in other cases wherein sentence has already been undergone by the petitioner.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 03 years, 07 months and 20 days. He submits that the petitioner has been convicted in other cases under the NDPS Act and, therefore, he does not deserve the concession of regular bail. He upon instructions from ASI Amarnath, 04 out of 19 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 03 years and 07 months 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.

At the time of release of the petitioner, the SHO, Police Station Sadar Nawashahar shall be informed and the petitioner shall furnish his mobile number to him and keep his mobile location on. He shall appear before the Police Station Sadar Nawashahar on first Monday of every month till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

January 30, 2023
A.Kaundal

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