
(2020) 12 P&H CK 0033

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous Petition (M) No. 18942 Of 2020

Dara Singh

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision: Dec. 2, 2020

Acts Referred:

- Narcotic Drugs And Psychotroic Substantes Act, 1985 - Section 22, 29

Hon'ble Judges: Anupinder Singh Grewal, J

Bench: Single Bench

Advocate: Parminder Singh Sekhon, Dhruv Dayal

Final Decision: Allowed

Judgement

Anupinder Singh Grewal, J

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 165 dated 26.08.2019, under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances

Act, 1985 ('NDPS Act' - for short), registered at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner was a pillion rider on the motorcycle and a recovery

of 1100 intoxicant tablets of Clovidol 100-SR total weighing 438.9 grams was allegedly effected from the bag on the handle of the motorcycle. He also

contends that the petitioner is in custody for over a year 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 v. State of Punjab in CRM-M No. 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 v. State of Punjab in CRM-M No. 23811 of 2018 decided on 09.07.2018, the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel, upon instructions from SI Anita, contends that although 'challan' has been filed, but no prosecution witness has been examined.

He states that the petitioner is in custody for over a year.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over a year, he is not involved in any

other case under the NDPS Act; 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 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.