

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

109

**CRM-12100-2020 in/and
CRM-M-1973-2020
Decided on : 03.06.2020**

Kuldeep Singh @ Deep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. K.L. Saini, Advocate for the applicant/petitioner (s).

Mr. Chetan Sharma, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The matter has been taken up by way of Video Conferencing facility in view of COVID-19 situation, as per instructions issued.

CRM-12100-2020

Application for preponement of the main petition from 23.07.2020 has been filed.

Accordingly, in view of the reasons given in the application, the same is allowed. The hearing of the main petition is preponed to today itself.

CRM stands disposed of.

Main petition

In the present petition filed under Section 439 Cr.P.C., the petitioner is seeking concession of regular bail in case FIR No.195 dated 17.11.2019 under Section 21 of NDPS Act, 1985, registered at Police Station Babain, District Kurukshetra.

The recovery from the petitioner who is named in the FIR is to

the extent of 25gms Heroin. The Special Court, Kurukshetra has declined the relief on the ground that earlier there was an FIR No.267 dated 22.06.2019 registered against the petitioner, which also pertains to same Tehsil.

Counsel for the petitioner submits that the petitioner is on bail in the said case and 13gms Heroin was recovered from him. It is submitted that the petitioner is a student and since the investigation is complete and the charge has been framed on 15.04.2020, no useful purpose will be served by keeping the petitioner in custody.

Counsel for the State has opposed the same on the ground that another case of similar nature stands registered against the petitioner.

Keeping in view the fact that the petitioner is only 22 years old and has spent over 6 months in custody and quantity is not commercial in nature, this Court is of the opinion that the petitioner is entitled for concession of regular bail, as the trial is to take considerable time due to Covid-19 pandemic situation.

Accordingly, the bail application is allowed. He shall be released on regular bail on furnishing of bail bonds/sureties to the satisfaction of the Trial Court/Duty Magistrate, Kurukshetra.

June 03, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No