

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

**CRM-M-6684 of 2020
Date of Decision: 27.05.2020**

Pujari

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

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

Ms. Bhawna Gupta, DAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Pujari** in case F.I.R. No.118 dated 09.12.2019 under Sections 20 and 29 of NDPS Act, 1985, registered at Police Station Kiratpur Sahib, District Rupnagar.

Learned counsel for the petitioner contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that alleged recovery of five kilograms of Ganja from petitioner, it has to be taken as individual case and it cannot be taken as joint possession amongst petitioner and co-accused. He further urges that as such

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petitioner has no nexus whatsoever with the alleged recoveries of 20 kilograms of Ganja effected from co-accused namely Vakeel and Daniya. He further urges that even otherwise co-accused namely Vakeel and Daniya have already been released on bail by this Court, vide separate orders dated 19.05.2020. He further submits that petitioner is in custody since 09.12.2019 and he is no more required by the Police for any investigation purpose. He further urges that since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 09.12.2019; that petitioner is no more required by the Investigating Agency for investigation purpose and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail

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moved by petitioner-**Pujari** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Rupnagar, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 and he is directed to furnish the surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Rupnagar, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

27.05.2020

D.Bansal

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No