

**203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-8201-2020
Decided on : 05.10.2020

Sucha Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rakesh Kumar, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.01 dated 09.01.2019 registered under Sections 21/29/61/85 of NDPS Act, 1985 at Police Station Sadar Nakodar District Jalandhar.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question on the basis of alleged disclosure statement made by co-accused Abraham Lalrinnggheta from whom the recovery of 3.70 kg of heroin was effected. Learned counsel also submits that the disclosure statement on the basis of which the petitioner has been nominated as an accused in the case in hand is a weak piece of evidence. He has further contended that the petitioner is in custody since 12.02.2019 and only 3 out of 18 prosecution witnesses cited so far have been examined till date. Hence, a prayer has been made for extending the concession of regular bail to the petitioner as firstly, no recovery of any contraband was effected from him and secondly, he is not involved in any other case of similar nature.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on instructions from SI Inderjit Singh has admitted that the petitioner is not involved in any other case of similar nature.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 12.02.2019, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

05.10.2020

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No