

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

**CRM-M-9211 of 2020  
Date of Decision: 27.05.2020**

**Lalit Kumar**

....Petitioner

Versus

**State of Haryana**

....Respondent

**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

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**Present:** Mr. Kamaljit Rana, Advocate  
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

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**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-**Lalit Kumar** in case F.I.R. No.92 dated 03.03.2018 under Sections 20 and 27 of NDPS Act, 1985 registered at Police Station Sadar Thanesar, District Kurukshetra.

Learned counsel for the petitioner *inter alia* contends that though in terms of order dated 26.04.2018 passed by trial Court, petitioner was admitted to bail and he used to appear before trial Court on each and every date of hearing but on account of illness, he could not

appear before trial Court on 21.01.2020 and, thus, on account of his absence, his presence was ordered to be secured through warrant of arrest by the trial Court. He further submits that petitioner had surrendered in Court on his own on 07.02.2020 and he is languishing in custody since then. He further urges that since absence of petitioner from the Court on 21.01.2020 was unintentional but solely due to his illness and the fact that trial of the case would take sufficient time to conclude, 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 was admitted to bail by trial Court on 26.04.2018 and he used to appear in Court on each and every date of hearing, thus, on account of his single default and that too on account of illness, he cannot be made to suffer and he deserves concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Lalit Kumar** 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, Kurukshetra, as the case may be. However, petitioner has been given

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**:3:**

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, Kurukshetra, as the case may be, on culmination of nationwide lockdown due to COVID-19.

**(LALIT BATRA)**  
**JUDGE**

**27.05.2020**

*D.Bansal*

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