

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

CRM-M-8841-2020

Date of Decision : 16.09.2020

Dalip alias Sam

....Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM : HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Sarbjit Singh Khaira, Advocate
for the petitioner.

Mr.J.S.Toor, Addl.Public Prosecutor
for UT, Chandigarh.

TEJINDER SINGH DHINDSA, J.(ORAL)

Matter has been taken up through Video Conferencing via Webex facility in the light of the COVID-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in FIR No.143 dated 01.07.2019 under Section 22 of NDPS Act, registered at Police Station Sector 36, Chandigarh.

Counsel for the parties have been heard.

As per prosecution version, alleged recovery of 25 injections of Buprenorphine and 25 injections of Pheniramine Maleate was effected from the petitioner.

Even though prayer for bail has been opposed by learned counsel representing UT, Chandigarh by submitting that the recovery is commercial in nature, yet it has gone uncontroverted that the petitioner is not involved in any other case under the NDPS Act.

Petitioner has faced incarceration since 01.07.2019.

Trial has not concluded on account of the current COVID-19 pandemic.

It is not the case made out on behalf of UT, Chandigarh that the benefit of bail if granted to the petitioner, he would be in a position to hamper the course of free and fair trial.

Without making any observation on merits, the present petition is allowed and the petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail on his furnishing bail bond/surety bond to the satisfaction of the trial court/Duty Magistrate, Chandigarh.

16.09.2020
dss

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No