

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

203

CRM-M-9697 of 2020

Date of Decision: 01.09.2020

(through video conferencing)

Sahil

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sanjeev K. Virk, Advocate
for the petitioner.

Ms. Bhawna Gupta, DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.06, dated 11.01.2020, under Sections 21 and 29 of the NDPS Act, 1985, registered at Police Station Verowal, District Tarn Taran.

Short reply by way of affidavit of Kamljeet Singh, PPS, DSP, Sub-Division Tarn Taran, District Tarn Taran, on behalf of respondent (State) has been filed by the learned State counsel through email in Court today. Same is taken on record, subject to just exceptions.

Learned counsel for the petitioner contends that it is a case of chance recovery and he was nominated as an accused only on the disclosure statement of co-accused Navjit Singh from whom the alleged recovery of contraband was effected. He further contends that neither any recovery was effected from him nor is he involved in any other case under NDPS Act.

As per the affidavit filed by the State today, the factum of the petitioner having been arrayed as an accused only on the basis of disclosure

statement of co-accused is admitted. Learned State counsel has further apprised this Court that the charges have not yet been framed and she has conceded that the petitioner is not involved in any other case.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the petitioner has been in custody since January, 2020, and due to the outbreak of the pandemic COVID-19, the trial is unlikely to conclude in the near future, I deem it is a fit case to grant the concessions of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

01.09.2020

D.Bansal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No