

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

CRM-M-10093-2020 (O&M)

Date of decision: 06.10.2020

Budh Ram

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Chand Ram Olla, Advocate for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 651 dated 31.12.2019 registered under Section 20 and later on added Section 61, 85 of NDPS Act, at Police Station Barwala, District Hisar.

Learned counsel for the petitioner states that the alleged recovery of 3 Kgs Sulfa/charas was effected from co-accused Ram Mehar and no recovery was effected from the petitioner. The petitioner was arrested on the disclosure statement of Ram Mehar and the petitioner is not involved in any other case. The petitioner has been in custody since 10.01.2020.

On the instructions from SI Ajmer Singh, learned State counsel does not disputed the facts regarding the custody period of the petitioner and that the petitioner has been indicted in the present case on the disclosure statement of the co-accused. He points out that the petitioner was involved in two other cases in which he had been acquitted. The challan has been presented and charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 10.01.2020 and charges are yet to be framed. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

06.10.2020

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No