

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

Sr. No.203

CRM-M-11058-2020

Date of decision : 29.07.2020

Johny Kumar

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. P.S. Walia, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.0014 dated 30.01.2019, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Doraha, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case; there is no other criminal case in which he is involved; while on interim bail the petitioner never misused the concession so granted; he has already suffered incarceration⁶ for over one year and three months and that in the trial since no prosecution witness has been examined it is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail primarily on the ground that 1500 intoxicant tablets have been recovered from the petitioner's illegal possession.

The petitioner is in custody for the last over one year and three months; while on interim bail the petitioner did not misuse the concession so granted; there is no other criminal case in which he is involved and since till date no prosecution witness have been examined the trial, which is yet to commence, is likely to take a long time to conclude especially in the present circumstances when the world is facing the pandemic Covid-19.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Ludhiana, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(DEEPAK SIBAL)
JUDGE

July 29, 2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No