

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

{202 (1)}

CRM-M-11445-2020

Date of decision: 11.08.2020

**Nikka Ram @ Nikka
Versus
State of Punjab**

...Petitioner

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present:- Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

...

SUDIP AHLUWALIA. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No. 175 dated 10.11.2019, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (For short 'the NDPS Act'), registered at Police Station Malout, District Sri Muktsar Sahib.

2. Ld. Counsel for the petitioner relies upon the decisions of the Coordinate Benches of this Court in cases bearing CRM-M-13685-2020 titled as “**Sher Singh Versus State of Punjab**”, passed on 15.06.2020, CRM-M-2831-2019 titled as “**Sunil Bhati @ Sunil Kumar Bhati Versus State of Punjab**”, passed on 13.01.2020, CRM-M-13732-2020 titled as “**Ricky Versus Union Territory, Chandigarh**”, passed on 16.06.2020 and CRM-M-46998-2019 titled as “**Harwinder Singh Versus State of Punjab**”, passed on 10.02.2020, and by this Court in CRM-M-13257-2020 titled as “**Shivam Kumar Versus State of Punjab**”, passed on 06.07.2020, in which

cases, the petitioners from whom contraband drugs exceeding the

commercial quantity had been recovered, were nevertheless released on bail, in view of the fact that they were not reported to be involved in any other case under the NDPS Act, and also that on account of the existing COVID-19 Pandemic, routine trial of the cases would take a longer time.

3. In the present case, the petitioner was arrested nine months ago on 10.11.2019 and challan against him has already been presented on 14.02.2020, as seen from the zimni orders passed by the trial Court. But till date the trial has not commenced due to the on set of COVID-19 Pandemic.

4. The petitioner is reported to be involved in two other cases under the Excise Act, but not in any other case under the NDPS Act,

5. Co-accused – Rani has already been granted bail in case bearing CRM-M-2296-2020 titled as “Rani Versus State of Punjab”, passed on 26.02.2020, by this Court.

6. As such, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Disposed off.

(SUDIP AHLUWALIA)
JUDGE

11.08.2020
Pardeep

Whether speaking/reasoned Yes/No

Whether reportable Yes/No