

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

207

CRM-M-12323-2020

Date of decision : 28.05.2020.

Khusal Paudel @ Kyhap

... Petitioner

Versus

UT, Chandigarh

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Ashish Pal Kaushal, Advocate for the petitioner.

Mr. Manish Jain, APP, UT, Chandigarh.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.129 dated 18.04.2019 under Section 20 of the NDPS Act, registered at Police Station Sector 31, Chandigarh.

Learned counsel for the petitioner contends that it is alleged in the FIR that recovery of 01 kg. Charas has been effected from the petitioner which is just on the threshold of commercial quantity. He further contends that the petitioner is in custody for over 01 year and 01 month and is not involved in any other case under the NDPS Act.

Learned State counsel contend that the petitioner is a resident of Nepal and if he is released from custody, it would be difficult to secure his presence in the course of trial. He also contends that there are 13 prosecution witnesses, the examination of two witnesses has been completed while two others have been examined-in-chief and they are yet to be cross-examined.

Learned counsel for the petitioner also contends that the petitioner shall furnish local surety while furnishing the requisite bonds.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 01 year and 01 month; he is not involved in any other case; the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The petitioner shall furnish local surety bonds.

(ANUPINDER SINGH GREWAL)
JUDGE

May 28, 2020
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No