

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

CRM-M-12505 of 2020.

Date of Decision: 20.05.2020.

Sukhvinder Singh alias Sukha and anotherPetitioners.

Versus

State of HaryanaRespondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Parminder Singh, Advocate for petitioners.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioners-**Sukhvinder Singh alias Sukha** and **Ganga Ram** in case F.I.R. No.837 dated 06.12.2019 under Sections 18 and 29 of the N.D.P.S. Act, registered at Police Station Civil Lines Karnal, District Karnal.

Notice of motion.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to learned State counsel.

Learned counsel for the petitioners *inter alia* contends that petitioners have no nexus whatsoever with the alleged offence. He further submits that alleged recovery of Opium from the petitioners falls under non-commercial quantity. He further submits that co-accused Rakesh has already been granted bail by this Court vide order dated 15.05.2020 passed in CRM-M-12419-2020. Challan has already been presented in the case. The petitioners are in custody since 11.12.2019 and they are no more required by the Police for any investigation purpose. He further urges that since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioners in custody further and they may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioners do not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioners are in custody since 11.12.2019; that petitioners are no more required by the Investigating Agency for investigation purpose and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioners in custody further, thus, they deserve the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioners-**Sukhvinder Singh alias Sukha** and **Ganga Ram** is allowed and they are ordered to be released on bail on their furnishing personal/ surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Karnal, as the case may be. However, petitioners have been given liberty to defer the furnishing of surety bonds due to COVID-19 and they are directed to furnish the surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/ Duty Magistrate, Karnal, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

20.05.2020

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No