

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-12761 of 2020
Date of Decision: 15.06.2020

Vikas Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Mr. Sandeep Vermani, Addl. AG, Punjab.

RAJIV NARAIN RAINA, J.

The matter is taken up for hearing through video conference/WhatsApp [due to the pandemic COVID-19].

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.75 dated 11.08.2019 under Sections 21, 29 of the NDPS Act, 1985 registered at Police Station Special Task Force Phase-IV, District SAS Nagar (Mohali).

Custody certificate produced and the same is taken on record.

In brief, facts of the case are that the petitioner came to be arrested on lodging of aforementioned FIR on the ground that the petitioner along with co-accused Amandeep Singh are indulged into the activities of selling intoxicant substance. The regular bail before the Judge Special Court, Ludhiana was declined.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further submits that no

recovery is made from the person of the petitioner. The trial is likely to take some time to conclude and therefore, the petitioner is entitled to be enlarged on bail.

Per contra, Mr. Sandeep Vermani, Addl. AG, Punjab, learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail to the petitioner.

I have heard learned counsel for the parties.

The trial will take some time. As per custody certificate dated 15.06.2020 submitted by learned State counsel, the petitioner is in custody since 15.08.2019. No useful purpose will be served in keeping the petitioner in jail pending trial. At this stage, without going into merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail pending trial on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made by this Court shall not be construed to be an expression on the merit of the case.

(RAJIV NARAIN RAINA)
JUDGE

15.06.2020
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No