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

**CRM-M-13257-2020
Date of Decision: 06.07.2020**

Shivam Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mrs. Kanwal S.Walia, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.420 dated 25.12.2019, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act'), registered at Police Station Phillaur, District Jalandhar (Rural).

[2]. Ld. Counsel for the petitioner relies upon the decisions of the Co-ordinate Bench of this Court in cases bearing **CRM-M No.13685 of 2020** titled as **“Sher Singh Vs. State of Punjab”**, passed on **15.06.2020**, **CRM-M No.2831 of 2019** titled as **“Sunil Bhati @ Sunil Kumar Bhati Vs. State of Punjab”**, passed on **13.01.2020**, **CRM-M No.13732 of 2020** titled as **“Ricky Vs. Union Territory, Chandigarh”**, passed on **16.06.2020** and

CRM-M No.46998 of 2019 titled as “**Harwinder Singh Vs. State of Punjab**”, passed on **10.02.2020**, in which the petitioners, from whom *Buprenorphine* injections 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. In the present case also, the petitioner is not reported to be involved in any other case under the NDPS Act and challan against him has already been submitted after completion of the investigation, although the trial is yet to commence.

[3]. As such, at this stage, in view of the extra ordinary situation occasioned on account of the existing COVID-19 pandemic, the petitioner is ordered to be released on regular bail to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned, subject to the condition that the State shall be at liberty to seek cancellation of the same, in case the petitioner is found to be involved in any other case under the NDPS Act.

[4]. Disposed off.

06.07.2020

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No