

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

CRM-M-13641 of 2020(O&M)

Date of Decision: 02.07.2020

Gaurav Goyal @ Saurav

Petitioner.

Versus

State of Punjab

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Ms. Samina Dhir, DAG., Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner, seeks the concession of bail pending trial in FIR No.53 dated 17.02.2020, under Section 22 NDPS Act, registered at Police Station City Sangrur.

It is submitted that the petitioner is a registered licensed chemist. Reference is made to a copy of the licence, attached as Annexure P-2, with this petition. Learned counsel further refers to the bills, statedly indicating purchase of the drug in question. It is submitted that the recovery of 2750 tablets of Clovidol 100 SR, is wrongly reflected to be made from a sanitary store, which is merely 50 yards away from the petitioner's chemist

shop namely 'Binny Medical Store'. It is further submitted that the petitioner is not involved in any other criminal case and is unnecessarily being targeted by the authorities. It is thus prayed that this petition be allowed.

Learned counsel for the State while opposing this application does not deny that the petitioner is a licensed chemist. However, she vehemently argues that the recovery was effected from a sanitary store, which is also owned by the petitioner and as per terms and conditions of the license, the petitioner is entitled to sell stock or exhibit of the medicine from the specified premises itself and not elsewhere.

I have heard learned counsel for the parties and have gone through the file with their assistance.

The petitioner is admittedly a licensed chemist. Learned counsel for the State, on instructions from ASI Sukhwinder Singh, verifies that the petitioner is not involved in any other criminal case. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in Court, if released on bail. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by petitioner-Gaurav Goyal @ Saurav, is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial

Court/Duty Magistrate.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

02.07.2020

s.khan

[LISA GILL]
Judge

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