

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

**CRM-M No. 13239 of 2020
Date of decision: 17.07.2020.**

Raju Petitioner.

Versus

State of Haryana Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Chand Ram Olla, Advocate, for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 0494 dated 01.12.2018, under Sections 21 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station Kurukshetra University, Kurukshetra, District Kurukshetra.

Learned counsel for the petitioner contends that the allegations against the petitioner are that recovery of 15 grams of heroin, i.e. non-commercial quantity, was allegedly effected from the petitioner. He had earlier been granted bail by the trial Court, but due to family feud, he was having threat to his life and, therefore, neither he could prefer an application for exemption nor could appear before the Court. He also contends that the petitioner is in custody for over five months after his re-arrest. He is a labourer and is the sole bread winner of his family, which comprises of his

wife and minor children. He further contends that the petitioner is not involved in any other case under the NDPS Act. He undertakes that the petitioner henceforth shall appear before the trial Court on each and every date of hearing and shall not absent himself without prior permission of the Court.

Learned State counsel, upon instructions from ASI Jaswinder Singh, states that although 'challan' has been filed, but charges are yet to be framed.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over five months, he is not involved in any other case under the NDPS Act, 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 petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

17.07.2020
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No