

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-13396-2020 (O&M)

Date of decision: 11.06.2020

Gaurav Kumar

....Petitioner

versus

State of U.T. Chandigarh

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Munish Bhardwaj, Advocate
for the petitioner.

Mr. Munish Jain, Addl. PP for U.T. Chandigarh.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Gaurav Kumar has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.43 dated 25.02.2020 under Section 21 of NDPS Act, registered at Police Station Sector 36, Chandigarh.

Learned counsel based on the pleadings in the petition, submits that he was arrested on 25.02.2020 and the challan has been presented on 02.04.2020. There are a total of 13 witnesses. He submits that due to the present COVID-19 situation, none of the witnesses have been examined till date and even otherwise the trial is likely to take some time.

On asking of the Court, Mr. Munish Jain, Addl. PP for U.T. Chandigarh, informs the Court that he was earlier involved in a case of

NDPS Act at Himachal Pradesh, wherein he has been granted bail. He further submits that the alleged recovery itself amounts to approximately Rs.5,00,000/-.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds and also subject to depositing security of approximately Rs.2,00,000/- in the form of bank guarantee or immovable property. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case. It is also made clear that in case, he is found entitled in any other NDPS case other than the one mentioned above, the prosecution is free to apply for cancellation of bail.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

11.06.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No