

208

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

CRM-M-13662-2020 (O&M)

Date of Decision: 06.07.2020

Niranjan Kumar @ Kaka

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. P.K.S. Phoolka, Advocate,
for the applicant-petitioner.

Mr. Saurav Khurana, DAG, Punjab.

SUDIP AHLUWALIA J. (ORAL)

CRM-13779-2020

Applicant-petitioner is permitted to place on record a translated copy of FIR dated 23.11.2019 as Annexure P-3 and also a translated copy of FSL Report as Annexure P-4.

Application stands disposed off.

CRM-M-13662-2020

This is a petition for regular bail under Section 439 Cr.P.C. on behalf of the petitioner, in case FIR No.241 dated 23.11.2019, under Sections 22 of the Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kotwali Bathinda, District Bathinda.

[2]. Ld. Counsel for the petitioner submits that according to the FIR itself the alleged recovery of contraband was effected from the plastic bag which at that time had already been thrown on the ground and out of which certain bottles and tablets had scattered outside. As such, the concerned

memo *qua* effecting of recovery from “person” or “motorcycle” of the petitioner was inconsequential, since admittedly the items were not recovered directly from the petitioner or his vehicle, but from the roadside.

[3]. It transpires that after completion of investigation, challan against the petitioner, who was arrested on 23.11.2019 has already been submitted. There is no record of his involvement in any other case under the N.D.P.S. Act.

[4]. As such, without commenting any further on the merits of the case at this stage, in the light of the submission raised on behalf of the petitioner, and also on account of the fact that the trial is itself likely to take a substantial long time in view of the prevailing Covid-19 Pandemic, at this stage, he shall be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[5]. Disposed off.

06.07.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No