

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

CRM-M-14456 of 2020 (O&M)

Date of Decision :24.06.2020

Azuka

...Petitioner

Versus

UT Chandigarh

...Respondent

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. Ashish Pal Kaushal, Advocate for the petitioner.

Mr. Deepinder Brar, Standing Counsel for UT Chandigarh.

B.S.WALIA, J. (VC)

CM No.12766 of 2020

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.

2. Allowed as prayed for.

CRM No.M-14456 of 2020

3. Prayer in the petition under Section 439 of Cr.P.C. is for grant of regular bail to the petitioner during the pendency of the trial in case FIR No.442 dated 05.12.2019, registered under Section 21 of the NDPS Act, at Police Station Sector-39, Chandigarh.

4. Heard learned counsel for the parties.

5. As per case set up by the petitioner, recovery is of 211 grams of heroin from the petitioner, petitioner was arrested on 05.12.2019, investigation is complete, challan stands filed, charges have since been framed and out of 13 witnesses, 2 witnesses have examined and the case is

now listed for examination of prosecution witnesses for 03.07.2020. Learned counsel for the petitioner contends that the trial will take considerable time to conclude. Learned counsel has also referred to the decision of a Coordinate Bench of this Court in CRM-M-7863 of 2017, in case titled as Ugochukwu Henry vs. State of Punjab, involving recovery of 300 grams of heroin, in which, regular bail was allowed by relying upon the decision of a Coordinate Bench in CRM-M-37253 of 2016, in case titled as Festus Ugochukwu vs. State of Punjab.

6. Without commenting upon the merits of the case, the petition for bail is allowed, as no useful purpose would be served by keeping the petitioner in custody during the pendency of the trial especially in view of prevailing pandemic Covid-19 situation in the country. Accordingly, the petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the learned CJM/trial Court/Duty Magistrate, UT Chandigarh.

7. However, nothing stated hereinabove would be construed as an expression of opinion on the merits of the case.

(B.S.WALIA)
JUDGE

24.06.2020

amit/rajesh

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