

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-13711-2020
Date of decision: 16.06.2020

Nanku

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Parmod Kumar, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

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-Nanku who is stated to be aged 40 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.48 dated 04.03.2020, under Section 20 of NDPS Act, registered at Police Station Shahzadpur District Ambala, Haryana.

Learned counsel for the petitioner submits that the allegation in the FIR is of alleged recovery of 20 Kg Ganja, but in addition, it is 20 Kg and 300 gms Ganja. He further submits that purposely it had been made 2 Kg 300 gms Ganja whereas it is a case where alleged recovery is marginally above the commercial quantity. The challan has been presented,

which is not under dispute. He, however, submits that the petitioner is not involved in any other case of NDPS Act. He then submits that because of the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life. Therefore, petitioner is entitled for regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

16.06.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No