

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 14549 of 2020

Date of decision : June 25, 2020

Sunil Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Digvijay Nagpal, Advocate
for the petitioner.

Mr. Lavinder Sofat, AAG., Punjab.

Manjari Nehru Kaul, J (oral).

On account of outbreak of covid-19 the instant matter is being taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 48 dated 17.3.2020 under Sections 21,61,85 of NDPS Act registered at Police Station Gidderbaha, District Shri Mukatsar Sahib, Punjab.

Learned counsel for the petitioner states that the petitioner has been falsely implicated in the present case. Due to some rivalry he was allegedly apprehended with 20 grams of heroine along with the co-accused while he was in a car. He further contends that he was arrested on 17.3.2020 and till date only challan has been presented and hence it is unlikely that the trial would conclude any time in the near future.

On the other hand, learned State counsel while opposing the grant of regular bail to the petitioner has not been able to controvert that the alleged recovery falls within the category of “small quantity” and that the petitioner is not involved in any other case of similar nature.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the petitioner has been in custody since 17.3.2020 and the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

June 25, 2020
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Whether speaking/reasoned	Yes
Whether Reportable	Yes/No