

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14599-2020

DATE OF DECISION: AUGUST 28, 2020

GURMEET @ MEETA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. AMIT KHATKAR, ADVOCATE FOR THE PETITIONER.
KANWAR SANJIV KUMAR, AAG, HARYANA.

MANOJ BAJAJ, J.(ORAL)

Petitioner Gurmeet @ Meeta has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.48 dated 12.3.2020, under Section 22C, 27A, 61-85, NDPS Act, Police Station Garhi, District Jind. The petitioner is in custody since his arrest on 4.5.2020.

As per the allegations in the FIR, on 12.3.2020, when a police party was patrolling in connection with crime detection and were going to village Kharal through village Hamirgarh, near Government School, Kharal, a young boy was seen having yellow polythene bag in his right hand. On seeing the police vehicle, he immediately started running in wheat fields. He was apprehended and on interrogation he disclosed his name as Ramkesh resident of Biga Patti, Dhamtan Sahib, District Jind. A search was conducted on him in the presence of a gazetted officer and 138 strips of 10 tablets each, totalling 1380 tablets, made Clovidol-100 SR Tramadol Hydrochloride Tablet 100 mg. weighing 552 grams were recovered from his

possession. On interrogation, he disclosed that he got the contraband from Gurmeet @ Meet resident of Karsindhu, Uchana to further sell it to the customers. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner contends that the alleged recovery of contraband was effected from accused Ramkesh who was arrested on the spot. According to him, the petitioner was indicted as an accused on the basis of the disclosure suffered by the said accused. It is pointed out that the investigation of the case is complete and therefore, his further custody may not be necessary and he is not involved in any other case of similar nature. He prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned counsel for the State assisted by Rajesh Kumar SI/SHO while opposing the prayer has submitted that the contraband recovered from Ramkesh was supplied by the petitioner. However, it is not disputed that the petitioner is not involved in any other case except in FIR No.63 dated 5.4.2017, under Section 13/3/67, Gambling Act, P.S. Uchana. He, on instructions, states that the investigation of the case is complete and the case is fixed for framing of charges on 14.9.2020.

After hearing the learned counsel for the parties, this Court is of the opinion that the investigation of the case is complete, but trial of the case is likely to consume considerable time in the wake of outbreak of global pandemic, namely, COVID-19 in the region as certain restrictions have been imposed by State Government and District Administration in order to curb its spread, therefore, further custody of the petitioner may not be justified.

The petitioner is presently confined in judicial custody and is not required for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

August 28, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No