

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

CRM-M-14871-2020

Date of decision :10.08.2020

Vipan Kumar

...Petitioner

Vs.

State of Punjab

...Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Veneet Sharma, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

This is a petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.97 dated 27.06.2019 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station A-Division Amritsar, District Amritsar.

It has been contended by learned counsel for the petitioner that the petitioner has been in custody since 27.06.2019. Though charges have been framed on 06.03.2020, no PW has been examined till date. He further submits that due to the outbreak of the pandemic COVID-19, the petitioner be granted bail as his retention in jail may be dangerous to his life.

Mr. Thind, Deputy Advocate General Punjab has vehemently contended that this is not a fit case for grant of regular bail inasmuch as the scooter from which the recovery was made belongs to petitioner.

In view of the peculiar facts noticed above and considering the COVID-19 situation and the fact that the trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

However, it is made clear that nothing observed herein shall be construed as an expression on the merits of the case. The prosecution will always be at liberty to get the bail cancelled in case the petitioner is found to be misusing the concession of bail in any manner.

The petition stands disposed off.

August 10, 2020
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(ALKA SARIN)
JUDGE

Whether speaking/reasonable: Yes/No.

Whether reportable : Yes/No.