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

**CRM-M-14774 of 2020 (O&M)
DATE OF DECISION : 25.08.2020**

Kamaldeep Singh @ Kamal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Gurdarshan Singh Sidhu, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 13 dated 27.01.2020, registered under Section 22(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Badagudha, District Sirsa.

2. Per FIR, on 27.01.2020, the police party apprehended the petitioner and his accomplice, a co-villager, on the basis of suspicion while they were walking towards their village. From a bag being carried by co-accused Rajinder @ Lovepreet, 950 tablets of Tramadol Hydrochloride were recovered. Case was registered. Both petitioner and Rajinder Singh @ Lovepreet were arrested.

3 Learned counsel for the petitioner further submits that nothing was recovered from the conscious possession of the petitioner. It was a case of sheer ill luck that the petitioner was walking home with co-accused on a public road leading to their village. According to him, it will be adjudicated at the trial whether the petitioner has any nexus with the crime. Learned counsel for the

petitioner further submits that the petitioner is in judicial custody for the last about seven months and the trial is not proceeding on account of outbreak of COVID-19 pandemic.

4. Learned State counsel though opposes the bail plea, however, he admits that recovery was effected from co-accused and petitioner is in custody for about seven months and presently there is no headway in the trial due to Covid-19 pandemic.

5. I have heard learned counsel for the parties.

6. Without commenting upon the merits of the case, considering the aforesaid submissions of learned counsel for the parties, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate / Duty Magistrate concerned.

7. Petition stands allowed accordingly with a liberty to the State that in case while on bail, petitioner is found involved in offence of similar nature, the prosecution would be at liberty to seek cancellation of his bail.

(ARUN MONGA)
JUDGE

August 25th 2020
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No