

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

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**CRM-M-16085-2020 (O&M)**

**Date of Decision: 08.07.2020**

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Makhan Singh @ Guggu @ Gagan

... Petitioner

VS.

State of Punjab

... Respondent

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**CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI**

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Present: Mr. LS Mann, Advocate for the petitioner

Mr. Dhruv Dyal, Sr.DAG, Punjab

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**GIRISH AGNIHOTRI, J. (Oral)**

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

The petitioner Makhan Singh @ Guggu @ Gagan aged 20 years has filed the present petition *inter alia* with a prayer for grant of regular bail. He has been allegedly involved in case FIR No.75 dated 04.08.2019 under Section 15 of the NDPS Act registered at PS Sadar Nawanshahr, District SBS Nagar.

Learned counsel based upon the pleadings submits that the petitioner was arrested on 04.08.2019. He submits that the petitioner has nearly completed one year of custody. Counsel urges that there is no other NDPS case registered against the petitioner.

Notice of motion.

On the asking, Mr. Dhruv Dyal, Sr.DAG, Punjab accepts notice through video conferencing.

Learned State counsel submits that challan was presented on 04.12.2019 and out of 15 witnesses, only 4 witnesses have been examined till date.

Counsel for the petitioner relies upon the order dated 11.06.2020 passed in CRM-M-13390-2020 (P3) vide which this Court granted the concession of regular bail to co-accused Ashok Kumar @ Sukha. That apart, counsel then submits that due to COVID situation, retention of the petitioner in jail is dangerous to his life and otherwise also the trial is likely to take some time.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

It is also made clear that in case the petitioner is subsequently found involved in any other NDPS case, the prosecution is free to move an application for cancellation.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

**08.07.2020**

*vishal shonkar*

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

**(Girish Agnihotri)**  
**Judge**

**Yes/No**  
**Yes/No**