

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16264-2020 (O&M)

Date of Decision: 24.07.2020

Pawan

... Petitioner

VS.

State of UT Chandigarh

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Vipul Jindal, Advocate for the petitioner

Mr. Amit Kr. Goyal, APP, UT Chandigarh

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 Pawan stated to be aged 29 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.47 dated 14.02.2017 under Sections 21/29 NDPS, 1985, Sections 25/54/59 of the Arms Act, 1959 and Sections 467/473/120-B IPC registered at PS Sector 39, Chandigarh.

Learned counsel for the petitioner submits that the petitioner has been in custody for the last more than 03 years and 4 months. He submits that even the alleged recovery, as per him is non-commercial.

Learned counsel for U.T. Chandigarh, however, submits that the alleged recovery is commercial in nature.

Learned counsel for the petitioner then submits that because of the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life. Therefore, petitioner is entitled for regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on merits of the case.

The petition stands disposed of accordingly.

24.07.2020

vishal shonkar

**(Girish Agnihotri)
Judge**

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

Yes/No
Yes/No