

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

CRM-M-16380-2020 (O&M)

Date of Decision:13.08.2020

Buta Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.237, dated 15.10.2018, under Section 22 of the NDPS Act, registered at Police Station Kotwali, Kapurthala.

Counsel for the parties have been heard.

As per prosecution version, recovery of 155 grams of intoxicant powder was effected from a polythene bag which was allegedly thrown away by the petitioner. As per FSL report, alprazolam has been detected.

It is the contention of the counsel representing the petitioner that the alleged recovery would not be construed to have been effected from the conscious possession of the petitioner but from a polythene bag thrown on the side of the road.

Petitioner is stated to be not involved in any other case under the NDPS Act.

Investigation in the case is complete and the challan has been presented.

Trial is at the initial stage and would take time to conclude particularly keeping in view the current Covid-19 pandemic.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

13.08.2020

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |