

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

**CRM-M No. 17231 of 2020**

**Date of decision : July 20, 2020**

**(Through Video Conferencing)**

**Mohd.Shahid alias Shahid**

**..... Petitioner**

**Versus**

**State of Haryana**

**..... Respondent**

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present:- Mr. S. S. Dinarpur, Advocate  
for the petitioner.

Ms. Dimple Jain, AAG., Haryana

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**Manjari Nehru Kaul, J (oral).**

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No. 140 dated 30.10.2019 under Sections 20, 29, 61, 85 and 27-A of NDPS Act, Section 216 IPC added during investigation by the police registered at Police Station Jhansa, District Kurukshetra.

Learned counsel for the petitioner contends that a perusal of the FIR clearly reveals that no offence is made out against the petitioner, moreso when no recovery whatsoever of the alleged contraband (40 kg 700 grams of Ganja) was effected from the petitioner. Infact he was arraigned as an accused on the basis of the disclosure statement of co-accused Tayyab made before the police wherein he stated that the petitioner was accompanying him while they were on their way to supply the alleged contraband to co-accused Sheela, who had already been granted the concession of anticipatory bail by this Court vide order dated 17.3.2020. Further, contends that the petitioner is not involved in any other case under the NDPS Act.

On the other hand, learned State counsel while opposing the grant of regular bail to the petitioner has not been able to controvert the factual aspect of the submissions made by the learned counsel for the petitioner. She has conceded that neither any recovery of the alleged contraband was effected from the petitioner nor was he involved in any other case under the NDPS Act.

Heard.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the petitioner has been in custody since 6.12.2019 and till date only challan has been presented, the trial is unlikely to conclude in the near future, moreso in the prevailing conditions on account of the outbreak of Covid-19, I deem it a fit case to grant the concession of regular bail to the petitioner. The instant petition is allowed. The petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**July 20, 2020**  
**archana**

**Whether speaking/reasoned**  
**Whether Reportable**

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