

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

(Heard through VC)

CRM-M-17477 of 2020 (O&M)
Date of Decision: July 22, 2020

Ramesh @ Bori

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sushil Sheoran, Advocate
for the petitioner.

Ms. Dimple Jain, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.397 dated 06.07.2017, under Sections 15/16/25/27(a)/29 of NDPS Act, 1985 registered at Police Station Bhiwani Sadar, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 18.07.2017. It is argued that the petitioner has been falsely implicated in the present case, as the name of the petitioner was not mentioned in the FIR nor has any recovery been effected from him. It is stated that the petitioner and one Motu @ Kuldeep have been roped in the present case only on the basis of disclosure statement made by the main accused Balbir. It is submitted that the main accused Balbir and co-accused Motu @ Kuldeep have already

been allowed regular bail by this court vide orders Annexures P-3 and P-4 respectively. It is also contended that conclusion of trial will take sufficient time, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner. However, he does not dispute the fact that main accused Balbir and co-accused Motu @ Kuldeep have already been allowed regular bail by this court.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 18.07.2017, that conclusion of trial will take sufficient time due to outbreak of Covid-19 pandemic situation and that main accused and co-accused have already been allowed regular bail, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

July 22, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No