

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

209

CRM-M-17508-2020(O&M)

Date of Decision:04.08.2020

Boota Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-17575-2020(O&M)

Makhan Singh @ Shashi Kant

.....Petitioner

Versus

State of Haryana

.....Respondent

Date of Decision:04.08.2020

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Gurjot Singh Sadhrao, Advocate,
for the petitioner(s).**

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

CRM-15024-2020 in CRM-M-17508-2020
CRM-15087-2020 in CRM-M-17575-2020

Prayer in these applications filed under Section 482 Cr.P.C. is
for exemption from filing the Vakalatnama in original in the present case.

For the reasons stated in the applications, same are allowed and

the petitioner(s) shall file the original power of attorney with the Registry within a period of one month when the situation becomes normal from the COVID-19 effect.

Applications stand disposed of.

CRM-M-17508-2020 & CRM-M-17575-2020

Prayer in these petitions filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner(s) in FIR No.300 dated 06.12.2019 under Section 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (the offences under Sections 61 and 85 were added later on), registered at Police Station Kalanwali, Sirsa.

Learned counsel for the petitioner(s) submits that 600 tablets (60 strips containing 10 tablets each) of Tramadol Hydrochloride were allegedly recovered in the case from three different accused. Petitioner(s) were not driving the motorcycle. They were only pillion riders and were not in conscious possession. Petitioner(s) are in custody since 06.12.2019 and there is no other case against them.

Learned State counsel does not dispute the custody period and the fact that there is no other case against the petitioner(s).

Heard learned counsel for the parties.

600 tablets of Tramadol Hydrochloride were allegedly effected in the case from three different accused. Co-accused Khushdeep Singh @ Khusha from whom the petitioner(s) allegedly purchased the tablets has been granted interim bail by this Court vide order dated 08.01.2020 passed in **CRM-M-172-2020**, titled as **Khushdeep Singh @ Khusha Versus State of Haryana**. Petitioner(s) are in custody since 06.12.2019 and there is no

other case against them. Trial in the case is not likely to be concluded in the

near future in the light of Covid-19 pandemic. Thus, this Court deems it appropriate to admit the petitioner(s) on bail.

Accordingly, the present petitions are allowed and the petitioner(s) are admitted on regular bail, subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

August 04, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No