

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-17706-2020
Date of decision: 23.07.2020

Ved Parkash

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.S.Gill, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.302 dated 14.05.2020 registered under Section 21 of NDPS Act, 1985 at Police Station Sirsa, District Sirsa.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR in question. He further contends that the alleged recovery of 15 grams of heroin was effected from his person and another 70 grams of heroin from the possession of co-accused, which admittedly does not fall within the category of commercial quantity. The petitioner is behind bars since 14.05.2020 and till date only challan has been filed before the Court below.

Learned counsel for the State, on the other hand, while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by the learned

counsel for the petitioner. She on instructions from ASI Vijender Singh submits that charges are yet to be framed in the FIR in question.

Heard.

Having considered the submissions made by either side and the fact that the petitioner has been behind bars since 14.05.2020, this Court does not find any reason to decline the prayer of the petitioner for grant of regular bail. It is unlikely that the trial would conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

23.07.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes
Whether reportable?	No