

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18861-2020

Date of Decision : 04.08.2020

Rajeev alias Shyam Bhagat

....Petitioner

Versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Sandeep Berwal, Advocate for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Prayer in the petition under Section 439 of Cr.P.C. is for grant of regular bail to the petitioner during pendency of trial in case FIR No.0067 dated 22.05.2020, registered under Section 20-A, 20-B and 29 of the NDPS Act, 1985, at Police Station Titram, District Kaithal.
3. Learned counsel contends that the petitioner was implicated in the case on the basis of disclosure statement made by co-accused, Ram Dia and in pursuance thereof, he was arrested and recovery of 200 grams of *ganja* was made. Learned counsel contends that the quantity stated to have been recovered from the possession of the petitioner is small and that the petitioner is in custody since 23.05.2020 and maximum punishment prescribed under the law for the offences in question is one year.
4. Learned DAG, Haryana, does not controvert the factual position as noted above.

5. In view of the totality of the circumstances i.e. recovery being of small quantity, petitioner being in custody since 23.05.2020 as also the fact that trial of the case would take considerable time to conclude in view of prevailing Corona Virus pandemic and that maximum punishment prescribed for the offences in question under the law is one year, the petition for regular bail is allowed. Petitioner is ordered to be released on regular bail provided he is not required in any other case and subject to his furnishing bail bonds / surety to the satisfaction of the learned CJM / Trial Court / Duty Magistrate, concerned.

6. However, nothing stated hereinabove would be construed as an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

August 04, 2020

'PS/Rajesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>