

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-19081-2020(O&M)

Date of Decision:20.08.2020

Lakhvir Singh alias Happy

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Gurjot Singh Sadhrao, Advocate,
for the petitioner.

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-16554-2020

Prayer in this application 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 application, same is allowed and the petitioner shall file the original Vakalatnama with the Registry within a period of one month when the situation becomes normal from the COVID-19 effect.

Application stands disposed of.

CRM-M-19081-2020

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner 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 relies upon the order dated 04.08.2020 passed in CRM-M-17508-2020, titled as **Boota Singh Versus State of Haryana** and CRM-M-17575-2020, titled as **Makhan Singh @ Shashi Kant Versus State of Haryana**, whereby the co-accused, namely, Boota Singh and Makhan Singh @ Shashi Kant have been admitted on bail. He states that the alleged recovery is of 600 tablets (60 strips containing 10 tablets each) of Tramadol Hydrochloride. Petitioner is in custody since 06.12.2019 and there is no other case against him, though he was named an accused in other cases, but he has been acquitted in those cases.

Learned State counsel does not dispute the custody period and submits that as on date, there is no other case against the petitioner. She states that challan has been presented, but the charges have not been framed in the case and the petitioner was carrying a polythene bag, which contains the contraband.

Heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 06.12.2019, trial in the case is not likely to be concluded in the near future in the light of Covid-19 pandemic, coupled with the fact that co-accused of the petitioner, namely, Boota Singh and Makhan Singh @ Shashi Kant have been admitted on bail vide order dated 04.08.2020, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his 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 20, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No