

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

CRM-M-19413-2020

Date of decision : 06.08.2020

Kiyum Ahmad

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

Prayer in the instant petition preferred under Section 439 Cr.P.C. is for grant of bail in FIR No. 55 dated 12.05.2019, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Shambu, District Patiala.

Learned counsel for the petitioner states that the petitioner is the only bread winner of the family. The recovery was effected from two bags; one from boot of the car and second bag had been placed on the rear seat of the vehicle. The petitioner is neither the driver nor the owner of the vehicle. The owner has not been challaned in this case. The petitioner is in custody since 12.05.2019.

On the other hand, learned State counsel opposes the instant

thereon the vehicle at the time of recovery.

Heard.

Considering the fact that the petitioner is not involved in any other FIR; the challan stands presented; out of twelve witnesses only two have been examined so far. The trial is not likely to be concluded in the near future. No useful purpose shall be served by keeping the petitioner in further incarceration.

In view of the above, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

06.08.2020

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No