

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

Sr. No.203

CRM-M-20153-2020

Date of decision: 23.11.2020

Ravinder Kumar

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Puneet Bansal, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.089 dated 07.04.2020 registered under Sections 21 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Agroha.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; the contraband was not recovered from the person of the petitioner; the petitioner has been in custody for nearly 08 months; there is no other criminal case in which the petitioner is involved; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation and that the trial which is yet to begin is likely to take a long time to conclude especially in the present circumstances when the world is

facing the Covid-19 pandemic.

Learned State counsel admits to the period of incarceration of the petitioner and that he has no other criminal case against him but opposes the grant of bail to the petitioner on the ground that the petitioner posed as a caretaker of a patient in an Ambulance to facilitate smuggling of narcotics.

The petitioner has been in custody since 06.04.2020; the contraband was not recovered from the person of the petitioner; there is no other criminal case in which the petitioner is involved; the report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is not in a position to influence the investigation and the trial which is yet to begin is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Hisar, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(DEEPAK SIBAL)
JUDGE

November 23, 2020
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No