

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

**CRM-M-21340 of 2020(O&M)
Date of Decision: 13.08.2020**

Naveen Kumar

Petitioner.

Versus

State of Haryana

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Anmol Malik, DAG., Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner, seeks the concession of bail pending trial in FIR No.327, dated 26.05.2020, under Section 21 of the NDPS Act, registered at Police Station City Sirsa, District Sirsa.

It is submitted that the petitioner, who is not involved in any other criminal case, has been falsely implicated in this case, on the basis of a disclosure statement of the co-accused namely Virender Singh @ Binda from whom 6 gms of heroine has been allegedly recovered and there is no other evidence on record to connect the petitioner with the alleged offence. It is submitted that Virender Singh @ Binda, has been afforded the concession of bail pending trial by learned Additional Sessions Judge, Sirsa, on 30.06.2020, (Annexure P-1). It is thus prayed that this petition be allowed.

Learned counsel for the respondent-State, is unable to point out any palpable evidence on record, at this stage, against the petitioner, except the

disclosure statement of the co-accused namely Virender Singh @ Binda, who has been released on bail on 30.06.2020.

Learned counsel for the respondent-State, on instructions from ASI Mukesh Kumar, verifies that investigation in this matter is complete and challan has been prepared and is likely to be presented in the near future. It is further verified that the petitioner is not involved in any other criminal case. Due to the outbreak of the pandemic-COVID-19, trial is not likely to conclude in the near future.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in Court, if released on bail. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by petitioner-Naveen Kumar, is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court/Duty Magistrate.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

13.08.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned	:	Yes/No.
Whether reportable	:	Yes/No.