

**211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-21782-2020
Decided on : 16.09.2020

Naresh @ Kala

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sansar Kundu, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.07 dated 12.01.2020 registered under Sections 18, 27-A of NDPS Act, 1985 at Police Station Pillukhera District Jind.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question. He further contends that no recovery was effected from the petitioner and it was only on the alleged disclosure statement of the co-accused namely Jagtar Singh @ Rummy, the petitioner was arrayed as an accused, which does not have much evidentiary value. It has also been submitted that the petitioner has been in custody since 28.02.2020 and only challan has been filed till date. Hence, it has been prayed that the concession of bail be extended to the petitioner.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on

instructions from ASI Ranbir Singh has submitted that the charges are likely to be framed in the near future and the delay has occurred on account of the outbreak of pandemic.

Heard.

Keeping in view the facts and circumstances of the case and nature of accusation and the evidence against the petitioner coupled with the fact that the trial is unlikely to conclude in the near future and the petitioner has been in custody since 28.02.2020, the present petition is allowed. The petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

16.09.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No