

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-22940-2020(O&M)

Date of Decision: 20.8.2020

Shekhar Singh @ Shera

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.S. Gandhi, Advocate for the petitioner.

Mr. S.S. Deol, DAG, Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioner in case FIR No.101 dated 27.5.2020 under sections 21, 27-A of N.D.P.S Act, registered at Police Station, Chattiwind, District Amritsar.

Counsel for the parties have been heard.

During the course of arguments, it has gone uncontroverted that even as per prosecution version the alleged recovery is of 20 grams of heroin from the left pant pocket of the petitioner. That apart, Rs.50,000/- cash has been recovered which prosecution is terming as drug money. From co-accused 270 grams of heroin has been recovered.

The alleged recovery from the petitioner would be seen as non-commercial.

Petitioner concededly is not involved in any other case under the N.D.P.S Act.

He has faced incarceration since 27.5.2020.

In the considered view of this Court, no useful purpose would be served by keeping the petitioner in custody any further.

It is not the case made out on behalf of the State that the benefit of bail, if, granted to the petitioner would hamper the course of a free and fair investigation.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

20.8.2020

lucky

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No