

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

CRM-M-22995-2020

Date of decision: 21.8.2020

Raj Kumar @ Bittu

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Manvinder Sidhu, Advocate for the petitioner

Mr.Vikrant Pamboo, DAG, Haryana

JITENDRA CHAUHAN, J.

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

By way of the present petition, the petitioner seeks regular bail in case FIR No.0506 dated 13.8.2019 registered under Section 22 of the NDPS Act at Police Station Sirsa City, District Sirsa.

Learned counsel for the petitioner submit that the recovery was effected from the scooty owned by co-accused Bhushan Kumar. The petitioner was pillion. The petitioner is in custody since 14.8.2019. He is a middle aged and not involved in any other FIR. He further states that if his presence is established even then it was difficult for him to infer the contents carried by the co-accused.

On the other hand, learned State counsel opposes the prayer of the petitioner. He further informs that the challan stands presented and

charges have been framed. Out of 17 PWs, none has been examined so far. However, he acknowledges the fact that the petitioner is not involved in any other FIR and he is in custody since 14.8.2020.

Heard.

The petitioner was a pillion on the scooty from which the recovery was effected. He is not involved in any other FIR. Out of 17 PWs, none has been examined. Therefore, it can safely be inferred that the trial is not likely to be concluded in the near future. In the circumstances, the Court feels that the further incarceration of the petitioner is not warranted at this stage.

In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail during the pendency of trial on his furnishing bail bonds in the sum of Rs.50,000/- with two local sureties in the like amount to the satisfaction of the trial Court/ CJM/ Duty Magistrate.

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

21.8.2020
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No