

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

CRM-M-25716-2020 (O&M)

Date of decision : 07.09.2020

Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Parmod Kumar, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

JITENDRA CHAUHAN, J. (Oral)

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

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.77 dated 14.03.2020 registered under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), at P.S. Pinjore, District Panchkula.

States that the petitioner is a young man of 20 years and has recently got married. Allegedly 62 kgs. of *Ganja* was recovered while he was weighing it in his hut. He states that the wife of the petitioner is a relative of wife of co-accused, Parkash, the owner of the hut. The petitioner is a permanent resident of Village Mukwal, District Hoshiarpur, Punjab and had come to pay visit to his relative along with his wife. The petitioner is not the owner of the premises/hut in question. He is in custody since 14.03.2020 and not involved in any other FIR.

On the other hand, learned State submits that though the

question as well. The *challan* stands already presented but the charges are yet to be framed.

Heard.

As per the police proceedings (Annexure P-2), the *jhuggi* has been stated to be of co-accused, Parkash. Therefore, the factum of ownership of the *jhuggi* and the alleged recovery has *prima facie* become doubtful. The petitioner is in custody since 14.03.2020 and not involved in any other FIR. Though, the *challan* stands presented, but the charges are yet to be framed, therefore, it can safely be inferred that the conclusion of the trial may take considerable time.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds in the sum of ₹1,00,000/- with two local sureties in the like amount, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

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

07.09.2020

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**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No