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

**CRM-M-28398-2020
Date of Decision: 23.09.2020**

Kimti Lal Bhayia

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. Harbir Sandhu, AAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for regular bail filed under Section 439 Cr.P.C. on behalf of the petitioner in case FIR No.96, dated 04.07.2019, under Section 21 of the N.D.P.S. Act, registered at Police Station Sadar Nakodar, Jalandhar.

[2]. The petitioner was arrested on 10.07.2019 and has remained in detention thereafter. Perusal of the FIR goes to show that he was neither named in the FIR nor any recovery was actually effected from him. His name has transpired from the disclosure statement of a co-accused in the case. Other accused persons, namely, Radhika, Gurwinder Kaur alias Gagan, Soma, Tarsem Kaur alias Semo, Lakhvir Kumar @ Kaka, Amir Ali have since been granted bail by different Benches of this Court.

[3]. Challan against the petitioner has also been submitted long ago, after completion of investigation, but trial could not commence due to onset of COVID-19, Pandemic.

[4]. It now appears that the trial is unlikely to conclude in a reasonable short period of time due to the prevailing Pandemic. In such circumstances, this Court is of the opinion that further detention of the petitioner for an indefinite period is not justified.

[5]. For the aforesaid reasons and considering the long detention undergone by the petitioner, his prayer for releasing him on regular bail is allowed and he is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[6]. Disposed off.

23.09.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

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