

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

208

CRM-M-26043-2020

Date of Decision: 08.09.2020

BALWINDER @ BINDU

....Petitioner

Versus

STATE OF HARYANA

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Additional AG, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Balwinder @ Bindu** in case F.I.R. No.176 dated 16.05.2020 under Section 51(b) of Disaster Management Act, 2005 and Sections 188 and 269 of IPC and Section 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Fatehabad, District Fatehabad.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further

submits that petitioner has been roped in as accused merely on the disclosure statement of co-accused Raj Kaur @ Raj. He further urges that alleged recovery of contraband was effected from co-accused Raj Kaur @ Raj, whereas nothing incriminating has been recovered at the instance of petitioner. He further urges that co-accused Raj Kaur @ Raj has already been extended concession of bail by Sessions Court, vide order dated 19.06.2020. He further urges that petitioner is in custody since 04.07.2020 and he is no more required by the Police for any investigation purpose. He further urges that since investigation as well as consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 04.07.2020; that petitioner is no more required by the Investigating Agency for investigation purpose and since investigation and consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the

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concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Balwinder @ Bindu** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Area Magistrate/Chief Judicial Magistrate/Duty Magistrate/Trial Court, Fatehabad, as the case may be.

(LALIT BATRA)
JUDGE

08.09.2020
rimpal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No