

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-26085-2020
Decided on : 05.10.2020

Satish Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S.Gill, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.150 dated 24.07.2020 (Annexure P-1) under Sections 22b/61/85 of NDPS Act registered at Police Station Ding District Sirsa (Haryana).

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question. He further contends that the contraband allegedly recovered from the petitioner (50 capsules of Tramadol Hydrochloride Parviorin-Spas) does not fall within the commercial quantity. The petitioner is in custody since 24.07.2020 and only final report under Section 173 Cr.PC has been filed as on date. Hence, a prayer has been made for extending the concession of regular bail to the petitioner

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner submits that no doubt the quantity so recovered from the petitioner does not fall within the commercial quantity,

however, it is more than the small quantity. On a query put to learned State counsel, he on instructions from ASI Jagar Singh has admitted that the petitioner is not involved in any other case of similar nature.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 24.07.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

05.10.2020

sonia

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