

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

211

CRM-M-27551-2020

Date of decision : 21.09.2020.

Harsh Yadav @ Chuma

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. D.N. Ganeriwala, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.303 dated 04.08.2019, under Section 20-B of the NDPS Act (Section 27-A of the NDPS Act added later on), registered at Police Station Rewari City, district Rewari.

Learned counsel for the petitioner contends that the alleged recovery which has been effected from the house of the petitioner is 60 kgs. of *ganjapatti*. The father of the petitioner was arrested on the spot. The petitioner is not named in the FIR and has been arraigned as an accused on the statement of his father, namely, Yogesh Yadav. Learned counsel further contends that there is no independent witness to the recovery and co-accused, namely, Krishan Kumar has been granted regular bail by this Court in CRM-M-18301 of 2020, on 29.07.2020. He also contends that the petitioner is in custody for over 09 months and is not involved in any other case under the NDPS Act.

Learned State counsel, upon instructions from SI Bahadur Singh, contends that the petitioner is in custody for over 09 months since his arrest on 15.12.2019. She also contends that although challan has been filed but charges are yet to be framed.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 09 months; he is not involved in any other case under the NDPS Act; the COVID-19 pandemic, and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

September 21, 2020
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No