

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-29114-2020

Date of decision: 25.09.2020

Shiv Shankar

.....Petitioner

versus

State of Chandigarh (U.T.)

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Surinder Sharma, Advocate
for the petitioner.

Mr. Ashu Mohan Punchhi, PP for UT Chandigarh.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Shiv Shankar, stated to be aged 32 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.0114 dated 28.07.2020, registered under Section 20 of NDPS Act at Police Station Manimajra, Chandigarh (UT).

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner is a vegetable seller and he is only bread earner in the family. Learned counsel then submits that the petitioner is not involved in any other case and even the alleged recovery is non-commercial in nature.

Notice of motion.

On asking of the Court, Mr. Ashu Mohan Punchhi, PP for UT Chandigarh, accepts notice on behalf of the respondent.

On instructions from SI Satnam Singh, Police Station Manimajra, learned State counsel submits that investigation in this case, is complete and the challan has been presented on 24.09.2020.

Faced with the situation, learned counsel for the petitioner submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

25.09.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No