

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

(Heard through VC)

CRM-M-29245 of 2020 (O&M)

Date of Decision: September 28, 2020

Shiv Shankar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Charanpreet Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.74 dated 20.03.2018, under Section 20 of NDPS Act, registered at Police Station GRP Ludhiana, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.03.2018. It is argued that the petitioner has been falsely implicated in the present case. It is submitted that the last witness was recorded by the trial court in February, 2020 and thereafter, the trial of the case is not proceeding because of limited functioning of the courts due to Covid-19 pandemic. It is also contended that under these circumstances trial is likely to take sufficient time to

conclude, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 20.03.2018; last witness was recorded in February 2020 by the trial and the trial is not likely to conclude in the near future because of limited functioning of the courts due to Covid-19 pandemic, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond in the sum of ₹ 1 lac to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

September 28, 2020

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No