

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

CRM-M-30063-2020
Decided on : 05.10.2020

Baljit Pal @ Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. H.S.Bhogal, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

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.64 Dated 27.09.2018 registered under Section 20 & 29 of NDPS Act, 1985 at Police Station Behram, District Nawanshar (SBS Nagar).

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question. He submits that the petitioner was plying his vehicle as a taxi and the co-accused from whom recovery of contraband (4.25 kg of Charas) was effected, had hired his taxi. He further submits that even as per the allegations in the FIR, the contraband was recovered from a bag, which was lying between the legs of the co-accused and no recovery was effected from his conscious possession. It has been contended that the petitioner is not involved in any other case of similar nature and is in judicial custody since 27.09.2018. Hence, a prayer has been made for extending the concession of regular bail to the petitioner as the trial is not likely to conclude on account of the prevailing situation due to the outbreak Covid-19.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has conceded that the recovery of the alleged contraband was effected from a bag, which was lying between the legs of the co-accused. He on instructions from ASI Hardeep Singh has submitted that the petitioner is not involved in any other case.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 27.09.2018, 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