

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

(Heard through VC)

CRM-M-30159-2020 (O&M)
Date of Decision: October 06, 2020

Balwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ruhani Chadha, 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.57 dated 07.05.2020, under Sections 18, 29 of the NDPS Act, registered at Police Station Maqsudan, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 08.05.2020, while further submitting that no recovery was effected from him. It is argued that the petitioner has been nominated on the basis of a disclosure statement made by the co-accused from whom the contraband was recovered. It is also contended that investigation is complete, as the challan has already been presented and the framing of charges as well as conclusion of trial will

take sufficient time because of limited working of the courts due to Covid-19 pandemic, 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 two accused namely Lakhvir Singh and Angrej Singh were arrested with the said contraband and the petitioner herein was called from the mobile phone of Angrej Singh to hand over the said contraband to the petitioner.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 08.05.2020; investigation is complete as the challan has already been presented; no recovery was effected from him and conclusion of trial will take sufficient time because of limited working 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 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.

October 06, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No