

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

**CRM-M-30657-2020
Date of Decision : 09.11.2020**

Gurdeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Harinder Pal Singh Ishar, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

ASHOK KUMAR VERMA, J. (Oral)

Case has been taken up for hearing through video conferencing
due to the outbreak of Pandemic COVID-19.

Present Ist petition under Section 439 Cr.P.C. is for grant of
regular bail to petitioner in case FIR No.43 dated 16.03.2020, registered
under Sections 22, 29 of the Narcotic Drugs & Psychotropic Substances
Act, 1985, at Police Station Barnala, District Barnala.

Learned counsel for the petitioner *inter alia* contends that
petitioner has no nexus whatsoever with the alleged offence. He further
urges that petitioner has been arrayed as accused merely on the disclosure
statement of co-accused which is inadmissible. He further urges that
nothing incriminating (contraband) has been recovered at the instance of
petitioner. He further urges that petitioner is in custody since 07.08.2020
and he is no more required by the police for any investigation purpose. He
further urges that since consequent trial would take sufficient time to

conclude, no useful purpose would be served by keeping the petitioner in custody further, thus, he may be released on bail.

On the other hand, learned State counsel while opposing the instant petition has vehemently argued that keeping in view the seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 07.08.2020; that petitioner is no more required by the Investigating Agency for investigation purpose and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Barnala, as the case may be.

09.11.2020

mamta

(ASHOK KUMAR VERMA)

JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No