

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

**CRM-M-34312 of 2020 (O&M)
Date of Decision: 09.11.2020**

Multan Muhammad

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Dinesh Nagar, Advocate
for the petitioner.

Mr. S.P.S.Tinna, Addl. A.G.Punjab.

SANT PARKASH, J. (ORAL)

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 0132, dated 19.10.2019 registered under Sections 22, 29 of NDPS Act, 1985 and Section 207 of Motor Vehicles Act, 1988 at Police Station Rahon, District SBS Nagar.

As per the allegations in the FIR, on 19.10.2019 a polythene bag containing 65 injections of Buprenorphine (02 ml each) and total 65 vials of Avil (10 ml each) was recovered from the the diggy of Hero Maestro Scooter bearing No. PB-32-Z-9394, being driven by the brother of the petitioner and the petitioner was the pillion rider on the same scooter. The petitioner and his brother could not produce any license or permit for possession of the said injections marks Buprenorphine-02 ml and Avil-10 ml. Their scooter was also took into police possession as they had no documents of the same.

Learned counsel for the petitioner submits that the petitioner is a peace loving and law abiding citizen and has been falsely implicated in the present case. The petitioner is in custody since 20.10.2019 and has undergone incarceration for 01 year and 18 days. He further submits that the co-accused Sultan Mohammad has been granted regular bail by this Court vide order dated 02.09.2020 in CRM-M-17818 of 2020. Thus, he prays for regular bail to the petitioner.

Learned State counsel opposes the prayer of the learned counsel for the petitioner, however, he does not dispute the fact that the petitioner has undergone imprisonment for 01 year and 18 days and his co-accused Sultan Mohammad has been granted regular bail by this Court vide order dated 02.09.2020.

Heard the learned counsel for the parties.

The petitioner is in custody since 20.10.2019. Challan has been presented and no prosecution witness has been examined yet. Thus, no useful purpose would be served by keeping the petitioner behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

The petition is allowed.

**(SANT PARKASH)
JUDGE**

09.11.2020
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No