

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

CRM-M-34600-2020
Decided on : 21.12.2020

Dharamveer Singh @ Gogi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. P.S.Sekhon, Advocate
for the petitioner.

Mr. H.S.Multani, AAG, 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.77 dated 11.08.2020 registered under Sections 22 and 29 of NDPS Act, 1985 at Police Station Dharamgarh, District Sangrur.

Learned counsel for the petitioner inter alia contends that the petitioner is in custody since 11.08.2020 and the recovery of 110 tablets of Clovidol allegedly effected from the petitioner falls within non-commercial quantity. The trial is unlikely to conclude in the near future as only challan has been filed. Hence, a prayer has been made for granting concession of bail to the petitioner.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has conceded that the recovery of contraband allegedly effected from the petitioner does not fall within commercial quantity. However, he has fairly conceded that the co-accused Lakha Singh was not present when the alleged recovery was effected from

the petitioner and it was later on that the alleged contraband of 1140 tablets of clovidols was effected from the co-accused Lakha Singh. Learned State counsel on instructions from SI Sarabjit Singh has also admitted that the petitioner is not involved in any other criminal case much less under the NDPS Act.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 11.08.2020, 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

21.12.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No