

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

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CRM-M-37079-2020 (O&M)

Date of decision : 09.12.2020.

Vinod Kumar

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Parvesh Sachdeva, Advocate, for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.145 dated 29.09.2020 under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bahawala, District Fazilka.

Learned counsel for the petitioner has contended that the alleged recovery from the petitioner is of 250 tablets of TRIO-SR (Tramadol) and the same falls under the category of non-commercial.

Learned State counsel has filed the custody certificate. As per the custody certificate there is no other case pending against the present petitioner. Learned counsel for the State is also not in a position to deny that in the present case recovery is non-commercial in nature.

I have heard learned counsel for the parties.

The recovery in the present case admittedly falls in the non-commercial category. Without commenting on the merits of the case and considering the fact that the trial is unlikely to conclude in the near future in view of the current scenario created in the wake of the Covid-19 pandemic, I deem this to be a fit case to direct the release of the petitioner on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Trial Court/Duty Magistrate concerned.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case. However, the Prosecution shall always be at liberty to get the bail cancelled in case the petitioner is found to be misusing the concession of bail in any manner.

Disposed off accordingly.

December 09, 2020

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NOTE: Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No

(ALKA SARIN)
JUDGE