

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

**CRM-M-36541 of 2020**

**Date of Decision: 11.11.2020**

Mohammad Din @ Niku Khan

*.....Petitioner*

*Versus*

*State of Haryana*

*.....Respondent*

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Vikas Kumar, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

**HARINDER SINGH SIDHU, J**

Prayer is for grant of regular bail in case FIR No.286 dated 05.08.2020 under Sections 15 & 18 of NDPS Act, 1985 registered at P.S Sadar Fatehabad, District Fatehabad.

As per allegations in the FIR, 500 grams of opium was recovered from one Mohan Lal on 05.08.2020. Said Mohan Lal in his disclosure statement stated that he had purchased the alleged contraband from the petitioner.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated and that the recovery has not been effected from him. He is only being roped in on the basis of disclosure statement suffered by co-accused. Moreover, recovery of alleged opium would amount to non-commercial quantity and that the petitioner is in custody since 05.08.2020.

Opposing the prayer made by learned counsel for the petitioner, learned State counsel submits that the investigation is complete and challan has been presented. It is pointed out that four other cases are registered against the petitioner under the NDPS Act out of which the petitioner has

been acquitted of charges in two of the cases whereas remaining two cases are pending trial.

Learned counsel for the petitioner contends that the involvement of the petitioner in the said criminal cases is also on the basis of alleged disclosure statement and the petitioner is on bail in remaining two cases.

Without commenting anything on the merits of the case and also bearing in mind the custody period coupled with the fact that the trial is not making any headway due to covid-19 pandemic, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Mohammad Din @ Niku Khan is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

**November 11, 2020**  
**manoj**

**(Harinder Singh Sidhu)**  
**Judge**

**Whether speaking/reasoned: Yes/No**  
**Whether Reportable: Yes/No**