

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(Through Video Conferencing)**

CRM-M-39397-2020

Date of Decision: 04.12.2020

PANKAJ KUMAR ALIAS BABLU

.....Petitioner

V/s.

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Sanpreet Sandhu, Advocate,
for the petitioner.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1908 for grant of regular bail to the petitioner in case FIR No. 599 dated 26.06.2020 registered under Sections 22, 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station, City Jagadhari, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case in question on the basis of the disclosure statement allegedly made to the police by the co-accused, Vishal Verma from whom the recovery of 771 Tramadol Hydrochloride capsules (commercial quantity) was allegedly effected.

Learned counsel for the petitioner has submitted that the petitioner is not involved in any other case of similar nature and the evidentiary value of the disclosure statement so made, is of a weak nature. He submits that the trial is unlikely to conclude in the near future as only

challan has been presented so far. Hence, he may be extended the concession of regular bail.

Per contra, learned State counsel, on instruction from ASI Om Parkash, has not been able to controvert the factual aspects of the submissions made by the learned counsel for the petitioner and has conceded that the petitioner is not involved in any other case, much less, in any case under the NDPS Act, 1985.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 20.08.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic COVID-19. 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.

December 4, 2020

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

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