

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

CRM-M-38509-2019
Date of decision: 20.08.2020

Naushad Ali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 64 dated 11.04.2019, registered under Section 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Goraya, District Jalandhar (Rural).

Learned counsel for the petitioner submits that the petitioner is in judicial custody for the last about one year and four months and he is not involved in any other case.

Learned counsel for the petitioner further submits that recovery effected from the petitioner is 300 grams of Heroin and there are moot points which are to be decided during the course of trial.

It is further submitted that in view of the fact that trial is not proceeding due to Covid-19 situation, the petitioner may be granted

concession of interim bail for a period of 04 months.

Learned State counsel has not disputed the factual position and submitted that out of total eleven prosecution witnesses, only one witness has been so far.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the submissions made by learned counsel for the parties as well as the fact that there is no development in trial as out of total eleven prosecution witnesses, only one witness been examined so far, the present petition is disposed of and the petitioner is ordered to be released on interim bail till 16.12.2020 on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

20.08.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No