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

**CRM-M-43389-2019
Date of Decision: 07.07.2020**

Ashwani Kumar

..... Petitioner

Versus

U.T. of Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Ms. Nisha, Advocate,
for the petitioner.

Mr. Lalit Kumar Gupta, APP, for
U.T. Chandigarh, assisted by
Inspector Bhim Sen.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.265 dated 07.08.2019 (Annexure P-1), under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station 39, Chandigarh.

[2]. With reference to the earlier order passed on 08.05.2020, Ld. Counsel for the U.T., Chandigarh, submits that charges in the case were framed on 28.02.2020. However, evidence from the prosecution side could not commence thereafter, as working of the Courts has been severely affected during the ongoing COVID-19 Pandemic.

[3]. It transpires that the petitioner is not involved in any other case

under the Narcotic Drugs and Psychotropic Substances Act, 1985. The alleged recovery of contraband, being 12 injections of *Buprenorphine*, which equals 24 gms., is marginally above the commercial quantity.

[4]. In such circumstances, further detention of the petitioner for an indefinite period, at this stage, is not warranted.

[5]. In view of the above, the petitioner is ordered to be released on regular bail, subject to the appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[6]. Disposed off.

07.07.2020

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No