

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

**CRM-M No.49104 of 2019 (O&M)
Date of Decision.14.10.2020
(Heard through VC)**

Balkar Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Swarn Tiwana, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular to the petitioner in FIR No.78 dated 02.05.2019 under Section 18 of NDPS Act registered at Police Station Sangat, District Bathinda.

Learned counsel for the petitioner herein would contend that the alleged recovery is marginally higher than the commercial quantity, while further contending that no other case is pending against the petitioner. The challan has been presented and charges have been framed, however, on account of COVID-19, the trial is not proceeding. The petitioner is in custody since 02.05.2019 and therefore, seeks concession of bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner, however, on instructions from SI Baldev Singh does not dispute the fact that out of 12 witnesses, none has been examined.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that the petitioner is in custody since 02.05.2019 and the challan has been presented and charges have been framed coupled with the fact that the trial is likely to take some time to conclude as owing to *novel corona virus* pandemic, Courts are working at their full strength and ordinary hearing matters are not being taken up, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)

JUDGE

October 14, 2020

Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No