

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

CRM-M-50241-2019(O&M)
Date of decision: 26.11.2020

Touseef Ahmad Khan @ Munna

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-27609-2020

Application is allowed as prayed for.

CRM-27610-2020

This is an application under Section 482 Cr.P.C. for preponement of the date of hearing of the main petition, which is fixed for 15.01.2021.

Notice of the application.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State and submits that he has no objection, if the present application is allowed.

In view of the above, the present application is allowed and the main petition is preponed for today and taken up on Board for hearing.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 85 dated 16.07.2019 registered under Sections 15/25/29 of the NDPS Act, 1985, and Sections 465, 467, 468, 471, 474, 482 IPC added later on, at Police Station Maqsudan, Jalandhar Rural, District Jalandhar.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. Initially, the alleged recovery of 20 kg. of *poppy husk* was effected from the bag tied with the motor-cycle driven by co-accused Baldev Singh and 60 kg. of *poppy husk* was recovered from the truck parked near the house of Baldev Singh. On the basis of disclosure statement of Baldev Singh, Section 29 of the NDPS Act was added and the petitioner was indicted in the present case.

Learned State counsel points out that the recovered contraband is marginally above the commercial quantity and the petitioner has been in custody since 19.07.2019.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 19.07.2019. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

26.11.2020
Mangal Singh

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