

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH  
212

CRM-M-50342 of 2019  
Date of decision:28.5.2020

Sandeep alias Babu

... Petitioner

versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.G.S.Sidhu, Advocate,  
for the petitioner  
Mr.Pardeep Chahar, AAG, Haryana.  
...

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 Pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. for grant of 'regular bail' to the petitioner in case FIR no.537 dated 24.8.2019, registered at Police Station Sirsa City, District Sirsa, for the alleged commission of an offence punishable under Section 22 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR at all, with the three persons who are alleged to have been apprehended with contraband by the police, having named one Baba, resident of Nezaadella, as the person from whom they purchased the contraband (1800 capsules containing Tramadol).

He submits that the petitioners' name is Sandeep @ Babu, who is a resident of Village Mallewala, Tehsil and District Sirsa.

He further submits that there is no other criminal case registered against the petitioner, who has been in custody since 26.9.2019.

He further submits that not even a single witness has been examined so far, with the next date of hearing before the trial court being 8.7.2020.

Learned State counsel on the other hand submits that though the petitioner was apprehended from the address given in the petition, yet he being Sandeep @ Babu, the name is very similar to 'Baba' as given by the co-accused, and consequently, the petitioner does not deserve the concession of bail.

Having considered the matter, without making any comment on the actual merits of the case, looking at the fact that there seems to be some discrepancy in the address given in the disclosure statements (stated to have been given by the co-accused) and the petitioners' admitted address, further seeing that the petitioner has been in custody for 8 months now, with not even a single witness having being examined (possibly due to the ongoing pandemic), the petition is allowed. The petitioner is ordered to be admitted to bail upon his furnishing adequate bail and surety bonds to the satisfaction of the learned trial court/CJM/Duty Magistrate concerned.

28.5.2020  
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**(Amol Rattan Singh)**  
**Judge**

Whether speaking/reasoned  
Whether reportable

Yes  
No