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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1134/2020**

ATAL

.....Petitioner

Through Mr. C.M. Sangwan, Advocate.

versus

STATE

..... Respondent

Through Ms. Meenakshi Dahiya, APP.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **23.06.2020**

[Court hearing convened *via* video-conferencing on account of COVID-19]

1. The petitioner has sought regular bail *via* the captioned application.
2. Notice in this petition was issued on 05.06.2020.
- 2.1 Since then the respondent/State has filed a status report in the matter as well as the nominal roll concerning the petitioner.
3. Ms. Meenakshi Dahiya, who appears on behalf of the respondent/State, informs me that although investigation in the matter is complete, the charge-sheet still remains to be filed.
4. The record shows that FIR No. 252/2020 has been registered against the petitioner under Section 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985.
5. According to the respondent/State, the petitioner was caught red-handed by the policemen with "Smack" weighing 110 grams in his possession.

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6. Mr. Sangwan who appears on behalf of the petitioner, says that the case against the petitioner is fabricated and that the petitioner has no criminal record.

6.1 In any event, according to Mr. Sangwan, since ninety (90) days have elapsed, the petitioner is entitled to default-bail.

6.2 Ms. Dahiya does not dispute this aspect of the matter.

7. Accordingly, the petitioner will be enlarged on bail subject to the following conditions.

- i. The petitioner will furnish a personal bond of Rs. 25,000/- with a surety of like amount to the satisfaction of the concerned duty Magistrate.
- ii. The petitioner will establish telephonic contact with the Investigating Officer on every Monday while he is out on bail.
- iii. The petitioner will not leave the National Capital Territory of Delhi without the permission of the Court.

8. The captioned application is, accordingly, disposed of in the aforesaid terms.

9. At this stage, Ms. Dahiya says that it may be relevant to record that the charge-sheet could not be filed due to the Coronavirus pandemic.

9.1 This statement of Ms. Dahiya is taken on record.

10. The Registry will transmit the order passed today, electronically, to the concerned Jail Superintendent.

RAJIV SHAKDHER, J.

JUNE 23, 2020/VKR/KK

Click here to check corrigendum, if any

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