

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

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**CRM-M No. 1528 of 2021
Date of decision :08.09.2021**

Rajul Chugh @ Rahul Chugh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gautam Dutt, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

HARNARESH SINGH GILL, J.

Prayer in this petition is for grant of regular bail in case FIR No. 276 dated 30.09.2020 registered under Section 20 of NDPS Act, 1985 at Police Station Sadar Amritsar, District Police Commissionerate Amritsar.

Learned counsel for the petitioner states that the petitioner has been falsely involved in the present case rather the alleged recovery effected from the petitioner is marginally higher than the commercial quantity. The petitioner has been in custody since 30.09.2020. The petitioner is not involved in any other case under the NDPS Act.

Custody certificate by way of affidavit of Deputy Superintendent, Central Jail, Amritsar dated 08.09.2021 filed in the Court, same is taken on record.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel has stated that challan in the present case has already been presented and has not disputed the custody period of the petitioner. The prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.09.2020. The prosecution witnesses are yet to be examined. No other case has been registered against the petitioner and recovery has been effected from the petitioner is marginally higher than the commercial quantity. No useful purpose would be served by keeping the petitioner behind the bars. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial is unlikely to conclude any time soon.

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

08.09.2021

Rajeev (rvs)

(HARNARESH SINGH GILL)**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No