

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

CRM-M-2357 of 2021

Date of Decision: 17.02.2021

Heera Singh @ Hira

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Chetan Bansal, Advocate
for the petitioner.

Ms. Monica Jalota, Sr. DAG, Punjab.

HARINDER SINGH SIDHU, J.(Oral)

Present petition has been filed under Section 439 seeking bail pending trial in case FIR No. 175 dated 26.05.2014 under Sections 21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Civil Lines, Amritsar.

It is contended by learned counsel for the petitioner that no recovery has been affected from the petitioner as the alleged contraband i.e 70 gms of intoxicating powder containing Diphenoxylate is recovered from the co-accused namely, Manpreet and he has already been granted bail by this Court vide order dated 12.11.2020 passed in CRM-M-36468 of 2020. Also contends that the petitioner is in custody since 01.02.2019. The investigation in the case is complete. Out of 11 witnesses, 6 witnesses have been examined and thereafter trial has not made any headway because of COVID 2019. actual position has been duly acknowledged by learned State counsel on instructions from the police official.

Heard learned counsel for the parties and perused the paper book.

Without commenting anything on merits of the case and also bearing in mind the fact that petitioner is in custody since 01.02.2019 and the trial of case has not made any headway because of COVID 2019, no useful purpose will be served by detaining the petitioner behind the bars till the conclusion of trial. Accordingly, petition is allowed. Petitioner-Heera Singh @ Hira is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate/Illaq Magistrate concerned.

[HARINDER SINGH SIDHU]
JUDGE

February 17, 2021
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no