

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

**207**

**CRM-M-2650-2021(O&M)  
Decided on :04.03.2021**

SUKHJINDER SINGH

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

*(Through Video Conferencing)*

PRESENT: Mr. R.S. Mamli, Advocate  
for the petitioner.

Mr. Rajiv Goel, DAG Haryana  
assisted by ASI Rajesh Kumar.

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**MANJARI NEHRU KAUL, J. (Oral)**

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.0096, dated 27.05.2020 under Sections 21, 61 of the NDPS Act, 1985, registered at Police Station Babain, District Kurukshetra.

In compliance of order dated 27.01.2021, reply by way of an affidavit of Bharat Bhushan, HPS, DSP Ladwa Kurukshetra has been filed in the Registry, the same is taken on record.

The learned counsel contends that the petitioner has been in custody since 27<sup>th</sup> May, 2020 and there is no likelihood of the trial concluding any time in the near future as only challan stand presented till date. Hence, he may be extended the concession of regular bail.

*Per contra*, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from ASI Rajesh Kumar has conceded that the petitioner is not involved in any other cases of criminal nature, much less, under the NDPS

Act. He has also not been able to controvert the submissions made by the learned counsel for the petitioner that the alleged recovery of 45 grams of heroin does not fall in the 'commercial quantity'.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**March 04, 2021**

*S.Sharma(syr)*

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|-----------------------------------|---------------|
| <i>Whether speaking/reasoned:</i> | <i>Yes/No</i> |
| <i>Whether Reportable:</i>        | <i>Yes/No</i> |