

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

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**CRM-M-3712-2021 (O&M)
Date of Decision: 09.07.2021**

MADAN LAL

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Varun Garg, Advocate
for the petitioner.

Mr. B.S. Sewak, Addl. A.G. Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in case FIR No.234 dated 06.09.2019 registered under Section 22 of the NDPS Act, 1985, at Police Station Lehra, District Sangrur.

Learned counsel for the petitioner submits that the alleged recovery was effected from the fuel tank of the motorcycle; that though as per the FIR, the petitioner was standing nearby, yet it has been alleged that the petitioner was found counting medicine strips/tablets; that there is no other case registered or pending against the petitioner and that the petitioner has been in custody for the last 01 year 07 months.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the recovery was effected from the

petitioner and other co-accused and the same falls under commercial quantity. He further submits that after presentation of the challan, charge has also been framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody for 01 year 07 months. Prosecution evidence is yet to start. Further keeping in view the prevailing situation of Covid-19 pandemic, the trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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.

09.07.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>