

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

208

**CRM-M NO. 3735 of 2021
Date of decision :05.02.2021**

Arush Aggarwal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Simranjeet Singh Sarwara, Advocate
for the petitioner.

Mr. R.S.Khaira , AAG, Punjab
for respondent-State.

HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of
COVID-19.

The petitioner has filed the present petition under Section 439
of the Code of Criminal Procedure, 1973 for grant of regular bail in case
FIR No. 175 dated 03.12.2020 registered under Sections 22 and 29 of NDPS
Act, 1985 at Police Station Shambu, District Patiala.

The FIR was registered against accused Harmail Singh and
Parmeshwar Singh on the basis of secret information that both the accused
indulge in sale of intoxicant tablets in Punjab by bringing the same at lessor
rate from outside Punjab. During checking at the naka, a Tata Pickup
vehicle bearing no. PB 10 FF 6993 was intercepted. The driver as well as
occupant of said vehicle were interrogated who revealed their names as
Harmail Singh driver and Parmeshwar Singh conductor of the said vehicle.

From the search of the vehicle, 5 cartons containing 600 tablets each mark

Alprazolam IP 0.5 mg i.e. total 3000 tablets of Alprazolam were recovered. From another bag, 48 strips each strip containing 60 tablets i.e. 2880 tablets of Diphenoxylate Hydrochloride and Atropine Sulphate, were recovered, the total recovery being of 5880 tablets. During interrogation accused Parmeshwar Singh revealed that they purchase the tablets from the petitioner.

Learned counsel for the petitioner has argued that the petitioner has been arrested on the disclosure statement of the co-accused. The petitioner is neither named in the FIR nor any recovery has been effected from him. The petitioner is in custody since 09.12.2020.

The trial of case is not making any headway because of COVID -19 pandemic. No useful purpose will be served by keeping the petitioner behind the bars till the conclusion of trial.

Without commenting anything on the merits of the case and also bearing in mind the custody period of the petitioner, this criminal miscellaneous petition is allowed and the petitioner-Arush Aggarwal ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

05.02.2021

Rajeev (rvs)

**(HARINDER SINGH SIDHU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No