

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

CRM-M-3943-2021

Date of decision: February 12, 2021

Sonu Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Naresh Kumar Garg, Advocate
 for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.
(through video conferencing).

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.1214 dated 10.12.2018 under Section 21-C of the NDPS Act, registered at Police Station City Sirsa, District Sirsa.

Counsel for the petitioner submits that as per the allegations in the FIR, on suspicion, the petitioner was apprehended by the police while he was riding on a motorcycle and, thereafter, a recovery of 1340 capsules of Tramadol were effected, which, according to the FSL report, is of commercial quantity.

Counsel for the petitioner further submits that the petitioner is the first offender and as on today, the petitioner is in custody for the last 01 year, 05 months and 19 days. He has further submitted the charges have been framed and out of 15 prosecution witnesses, none has been examined and the trial has been delayed for a considerable long time due to COVID-19 situation.

Counsel for the petitioner submits that though the physical hearing has been started before the trial Court, yet considering the long pendency, priority is given to the old cases. Therefore, it will take some time in concluding the evidence of the present case.

Learned State counsel has produced the custody certificate and has not disputed the factual position.

After hearing counsel for the parties and considering the long custody of the petitioner, I deem it appropriate to grant the interim bail to the petitioner till 1.7.2021, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

However, if the trial Court, after assessing the situation, requires the presence of the petitioner for recording evidence, it may cancel or may continue the interim bail granted to the petitioner till further orders.

The petition stands disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

February 12, 2021
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No