

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

234

CRM-M-16188-2021 (O&M)

Date of Decision: 22.04.2021

PAWANDEEP @ PAWAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. H.S. Sitta, A.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.264 dated 08.12.2020 registered under Section 15(c) of the NDPS Act, 1985, at Police Station Adampur, District Jalandhar (Rural).

Learned counsel for the petitioner contends that recovery of 53 k.g. *Poppy Husk* had allegedly been effected from the petitioner, which is marginally above the commercial quantity; that there is no other case registered or pending against the petitioner and that the petitioner has been in custody since 08.12.2020. He further contends that the petitioner was apprehended on the basis of a secret information and the person to whom the alleged contraband was to be handed over, was travelling in a separate car, ahead of the petitioner.

On the other hand, learned State counsel while opposing the prayer for grant of regular bail, has not disputed the aforesaid factual position. He, however, on the instructions from ASI Paramjit Singh, submits that there is no other case registered or pending against the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.12.2020. There is no other case against the petitioner. Recovery effected from the petitioner is marginally above the commercial quantity. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial of the case would take a long 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.

22.04.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*