

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 19036 of 2021 (O&M)
Date of Decision: 27.8.2021

Pankaj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Pardeep Prakash Chahar, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 309 dated 29.8.2019 under Sections 21(b) of NDPS Act, 1985 registered at Police Station Bhuna, District Fatehabad.

Status report by way of affidavit of Deputy Superintendent of Police, Fatehabad dated 25.8.2021 has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case and he has been in custody since 29.8.2019; that the alleged contraband has not been recovered from the possession of the petitioner and no other case of similar nature is pending against him.

On the other hand, learned State counsel opposes the bail petition and submits that the petitioner is involved in five more cases, out of

which he has been acquitted in two cases and in three cases, he has been convicted. However, he has not disputed the fact that no case under the NDPS Act is pending against the petitioner. He further submits that charges have been framed in the present case and the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.8.2019. There is no other case under the NDPS Act against the petitioner. The charges have been framed but the prosecution evidence is yet to commence. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

August 27, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No