

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

**CRM-M No.20341 of 2020 (O&M)
Decided on: 10.02.2021**

Raghav Sharma @ Raghav

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. D.S. Gandhi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.81 dated 25.08.2019, for offence punishable under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act'), registered at Police Station STF, Phase-4, Mohali, District SAS Nagar, Mohali.

Counsel for the petitioner has submitted that as per the allegations in the FIR, on a secret information that the petitioner Raghav Sharma along with his co-accused Naresh Kumar @ Mintu, are bringing intoxicant material, the FIR was registered and the police apprehended them and later on, the recovery of 300 gms. of Heroin was effected from both the petitioners. It is further submitted that the petitioner is not involved in any other case and no witness of the prosecution has been examined so far.

Counsel for the State on instructions from the Investigating Officer, has not disputed the factual position but opposed the prayer for

bail. It is further submitted that charges have not even been framed against the petitioner till date.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; no PW has been examined so far; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is partly allowed and the petitioner is directed to be released on interim bail till 10.06.2021 subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, the trial Court, after assessing the situation, if the trial has not started in ordinary course and the evidence is recorded, may cancel or may continue the interim bail granted to the petitioner till further orders.

(ARVIND SINGH SANGWAN)
JUDGE

10.02.2021
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No