

214.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22806-2020

Date of decision:17.02.2021.

AMANDEEP SINGH

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. B.S. Saroha, Advocate,
for the petitioner.

Ms Gaganpreet Kaur, AAG, Haryana,
with ASI Mahan Pal.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 read with Section 482 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.711 dated 26.12.2019 registered under Section 15 of NDPS Act, 1985 at Police Station Pehowa, District Kurukshetra.

The allegation against the petitioner is that 102 kilograms poppy straw (chura post) was recovered from his conscious possession.

Counsel for the petitioner submits that the petitioner is in custody since 26.12.2019. Challan in the case has been presented on 19.06.2020 and charges are yet to be framed. The next date before the trial Court is 01.04.2021. Trial is not likely to be concluded in the near future as

one of the co-accused has been declared PO. There is no other case against the petitioner.

Learned State counsel does not dispute the custody and the fact that there is no other case against the petitioner.

I have heard learned counsel for the parties.

Noticing the fact that the petitioner is in custody since 26.12.2019 and challan was presented on 19.06.2020 and thereafter, on account of Covid-19 pandemic, trial could not proceed ahead coupled with the fact that there is no other case against the petitioner, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

17.02.2021
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.