

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

CRM-M-38725-2020(O&M)

Date of decision : 11.01.2021

Paramjeet @ Pamma

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.111 dated 08.08.2020 under Sections 22-C and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Jakhal, District Fatehabad.

Learned counsel for the petitioner would contend that the petitioner has been nominated on the disclosure statement of co-accused and there is no other evidence against the petitioner. Learned counsel for the petitioner would further contend that no recovery has been effected from the petitioner and there is no other case pending against the petitioner under NDPS Act or otherwise.

Ms. Dimple Jain, AAG, Haryana has referred to the status report

statements that the contraband had been purchased from the petitioner. Learned counsel for the State would further contend that recovery of ₹1,000/- has been effected from the petitioner in the present case.

I have heard learned counsel for the parties.

In the present case, the petitioner was nominated in the disclosure statement of the co-accused, namely, Mohinder Singh and Jagmohinder Singh. In the disclosure statements, it was disclosed by the co-accused that they had purchased the contraband from the petitioner. As per the status report, during investigation, the petitioner was arrested on 25.10.2020 and during the course of investigation an amount of ₹1,000/- (remaining amount from ₹11,000/-) received by the petitioner from the co-accused Mohinder Singh and Jagmohinder Singh for selling contraband was got recovered. The challan has already been presented in the present case. The status report also mentions that the petitioner has been involved in another FIR, however, in the same paragraph of the status report, it has been stated that the petitioner stood acquitted in the said case on 22.02.2019.

In view of the above and considering the fact that the trial is likely to take some time to conclude especially in view of the prevailing conditions on account of COVID-19 pandemic, no useful purpose would be served by keeping the petitioner behind the bars any further. Without commenting upon the merits of the case, I deem this to be a fit case for grant of concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

**(ALKA SARIN)
JUDGE**

11.01.2021
Yogesh Sharma

**NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO**