

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-43847-2020
Decided on : 12.02.2021

Mo Shameem @ Sammi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S.Sarwara, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.161 dated 05.11.2020 registered under Sections 22, 29 of NDPS Act,1985 at Police Station Shambu District Patiala.

Learned counsel for the petitioner inter alia contends that the petitioner has been nominated as an accused in the case in hand on the basis of a disclosure statement of main accused Salim from whom 30 strips of intoxicant tablets Lomitol, total 1800 tablets and 87 strips of intoxicant tablets Alprazolam, total 5220 tablets was effected, wherein the accused stated that the recovered contraband was to be delivered to the petitioner. Learned counsel further submits that the evidentiary value of such disclosure statement is of weak nature. The petitioner has been in custody since 07.11.2020 and there is no likelihood of the trial concluding in the near future. It has also been contended that similarly situated co-accused Rakesh Kumar has since been granted the concession of regular bail by this

Court vide order dated 08.01.2021.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SI Nahar Singh has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 07.11.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

12.02.2021

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

MO SHAMEEM @ SAMMI VS STATE OF PUNJAB