

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

CRM No.M-14538 of 2015 (O&M)

Date of decision: 29.05.2015

Anil

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. M.S. Rana, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking the benefit of regular bail to the petitioner pending trial in case FIR No.594 dated 30.11.2014, under Section 20 of the NDPS Act, registered at Police Station Civil Lines Rohtak, District Rohtak.

Counsel for the parties have been heard.

Prosecution case in brief is that a police patrolling party headed by ASI Manjit Singh received secret information on 30.11.2014 that Rambabu @ Monu and Saddam Hussain would be coming for supplying charas to Anil S/o Ramphal i.e. the present petitioner. Based on such secret information, two persons riding on a motorcycle were apprehended and who are stated to have been disclosed their names as Rambabu @ Monu and Saddam Hussain. As per prosecution version, afore-noticed two boys were asked about Anil and thereupon they are stated to have pointed out a boy standing at some distance on a motorcycle and who after seeing the police party fled away.

The alleged recovery effected from Rambabu @ Monu and Saddam Hussain is of 6 kilograms of charas.

The present petitioner is sought to be implicated only on the basis of secret information. He was neither apprehended on the spot nor any recovery has been made from him.

That apart, learned State counsel upon instructions from ASI Bhoop Singh would concede that the petitioner is not involved in any other proceedings under the NDPS Act.

Petitioner has been in custody since 31.01.2015. Investigation in the case having been completed, challan was presented on 03.03.2015 and the trial as such is at the initial stage.

In the totality of circumstances and without making any observations on merits, petitioner is held entitled to the concession of bail.

Accordingly, petition is allowed. Petitioner, Anil be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Rohtak.

Disposed of.

29.05.2015
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE