

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

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CRM-M-43289-2015

Date of Decision: January 5, 2016.

ARSHAD HASAN

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.SPS Sidhu, Advocate with
Mr.Rajesh Sharma, Advocate
for the petitioner

Mr.Charanjit Singh Bakshi, Addl.A.G.Haryana

M.M.S.BEDI, J.(Oral)

The petitioner seeks concession of regular bail in a case registered at the instance of Dinesh Kumar alleging that on 17.08.2015 Sunil Kumar was apprehended along with intoxicating medicines. Sunil Kumar during the course of investigation made a disclosure statement. On the basis of his statement Manoj Kumar Singal was arrested who made a disclosure statement that he had got the medicines from the petitioner.

It is an admitted fact that no recovery has been made from the petitioner. Whether he could be said to be in conspicuous actual possession of contraband, recovery being from his co-accused, would certainly be a debatable issue during trial.

Taking into consideration the period of detention of the petitioner i.e. w.e.f. 22.08.2015, he can be granted the concession of bail. This petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the trial Court/Duty Magistrate.

**(M.M.S.BEDI)
JUDGE**

January 5, 2016
TSG