

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

**CRM-M No.12077 of 2017
Date of Decision: 05.05.2017**

Kala @ Langra @ Hardeep

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. D. S. Virk, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
for the respondent-State.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks grant of regular bail in FIR No.18, dated 28.01.2016, registered under Sections 21, 22, 27-A, 61 and 85 of NDPS Act, at Police Station City Dabwali, District Sirsa.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been in custody since 4½ months; not needed for any investigation purpose as the challan has already been filed; since in the trial even charges are yet to be framed and there are 10 witnesses cited by the prosecution, the trial is likely to take long time to conclude; co-accused of the petitioner has been granted bail by this Court; there is no other criminal case in which the petitioner is involved and that in the present case, the implication of the petitioner is only on the basis of a disclosure statement made by the co-accused, which is not admissible in evidence.

Learned State counsel opposes the grant of bail on the ground that commercial quantity of narcotics has been recovered from the co-accused of the petitioner.

After considering the above submissions that the petitioner has been in custody since 4½ months; not needed for any investigation purpose as the challan has already been filed; since in the trial even charges are yet to be framed and there are 10 witnesses cited by the prosecution, the trial is likely to take long time to conclude; co-accused of the petitioner has been granted bail by this Court; there is no other criminal case in which the petitioner is involved and that in the present case, the implication of the petitioner is only on the basis of a disclosure statement made by the co-accused, which is not admissible in evidence, I am of the opinion that the petitioner deserves to be admitted to regular bail.

Bail to the satisfaction of the trial Court.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

If the petitioner is found indulging in any other criminal activity/misusing the concession of bail granted to him, it will be open to the State to move an appropriate application before the Competent Court/this Court for cancellation of the bail granted to the petitioner through this order.

(DEEPAK SIBAL)
JUDGE

May 05, 2017
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No