

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

**CRM-M No.38879 of 2016**  
Date of decision: 28<sup>th</sup> February, 2017

Deepak

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. Ashish Pannu, Advocate for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana  
for the respondent/State.

**FATEH DEEP SINGH, J. (ORAL)**

Allegations against the petitioner Deepak in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.174 dated 16.07.2016 registered at Police Station Barauda, District Sonapat under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, are that on 16.07.2016 the police apprehended Dalbir co-accused of the petitioner from whose possession 3.280 kg Charas was recovered and it was on the statement of the co-accused, the petitioner has been apprehended.

Contentions of the learned counsel for the petitioner are that nothing has been recovered from the petitioner and the statement of the co-accused is inadmissible.

Though on behalf of the State, Mr. Deepak Sabharwal, Addl. Advocate General, Haryana has sought to oppose the same but has readily accepted the fact that the only semblance of evidence is statement of the co-accused Dalbir.

Appreciating the submissions, the very legality, validity and acceptability of such a statement of the co-accused being a debatable issue and that the investigation and trial will take a long time to conclude, impels this Court to hold that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sonapat.

The petition stands disposed off accordingly.

**(FATEH DEEP SINGH)**  
**JUDGE**

**February 28, 2017**

*rps*

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No