

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

**CRM-M No.41742 of 2017 (O&M)
Date of Decision : 10.11.2017**

Motu alias Kuldeep

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Sumit Sangwan, Advocate
for the petitioner.

Mr. Tanuj Sharma, Asstt. Advocate General, Punjab
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

CRM No.35415 of 2017

Allowed as prayed for.

CRM-M No.41742 of 2017

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail on behalf of the petitioner in case FIR No.397 dated 6th July, 2017, registered under Sections 15, 16, 25, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') at Police Station Bhiwani Sadar, District Bhiwani.

Heard both sides.

The petitioner is not named in the FIR. No recovery from his possession was ever made directly. The only incriminating material against him is the disclosure statement of some co-accused in the case. There is no history of the petitioner's involvement in any other case under the NDPS Act.

In view of all these circumstances and considering the long detention undergone by the present petitioner, namely Motu alias Kuldeep, he is ordered to be released on regular bail to the satisfaction of the Ld. Trial Court/Area Magistrate concerned.

Disposed off.

November 10, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No