

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-32068-2018(O&M)

Date of Decision : 06.08.2018

Ved Pal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present: Mr. Manoj Chahal, Advocate for the petitioner.

Mr. R.K. Doon, AAG, Haryana.

P.B. BAJANTHRI, J.(ORAL)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 Cr.P.C. in case FIR No.540 dated 10.09.2017 under Sections 20, 29, 61 of NDPS ACT registered at Police Station Bhiwani Sadar.

2. Learned counsel for the petitioner has submitted that it is apparent from FIR that no recovery has been effected from the petitioner and recovery was effected from other persons/co-accused. He is in custody since 10.09.2017. Therefore, he is entitled for regular bail.

3. On the other hand learned State counsel while resisting the contentions stated that even though no recovery has been effected from the petitioner at the same time Section 27 is required to be taken into consideration that he is involved in related conspiracy and he was in conscious possession of the charas. He has also contended that co-accused are from Nepal, therefore, there is every chance that petitioner is likely to go out of country. He has also contended that the petitioner is not involved in

any other case and he is not disputing that the petitioner is involved in any other matter.

4. Heard learned counsel for the parties.

5. Having heard to the fact that there is no recovery of the charas from the petitioner and no doubt recovery is from the co-accused at the same time petitioner is in custody since 10.08.2017 and it is undisputed that he is not involved in any other case, therefore, petitioner is entitled for regular bail. Without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner, namely, Ved Pal is ordered to be released on regular bail on his furnishing bonds in a sum of ₹1 lakh to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

6. However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or other wise interfere with the fair trial.

06.08.2018

neeraj

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasoned?

Yes/ No

Whether reportable?

Yes / No