

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

CRM-M-47767 of 2018 (O&M)
Date of Decision:-2.11.2018

Pardeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Paramjit Jakhar, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J. (Oral)

The petitioner-Pardeep seeks grant of regular bail in a case registered vide FIR No.111 dated 26.4.2018 under Section 20 of NDPS Act registered at Police Station Narnaund, District Hansi.

As per case of prosecution on 26.4.2018 when a police party headed by ASI Sanjay Kumar was present in the area of village Khanda Kheri then a secret information was received to the effect that Karambir who runs a grocery shop sells *Ganja* and *Sulpha* in his shop and that in case a raid is conducted, he can be apprehended red-handed. Pursuant to receipt of aforesaid information, a raid was conducted and said Karambir was apprehended, who was found in possession of 1.950 kgs *sulpha* and 350 grams *ganja*.

It is further the case of prosecution that subsequently during interrogation of aforesaid Karambir, he made a disclosure statement to the

effect that he had purchased 2 kgs. of *sulpha* from the present petitioner-Pardeep. It was pursuant to the said statement that the present petitioner was arrested on 19.6.2018.

The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case solely on the basis of alleged disclosure statement by co-accused, which cannot be said to be admissible in evidence and that no recovery was effected from the petitioner.

On the other hand, the learned State counsel has submitted that since the main accused has categorically named the present petitioner as a supplier of the contraband, therefore, no case for grant of bail is made out.

Having considered the rival submissions addressed before this Court and the fact that the petitioner was not arrested at the spot and is stated to be implicated solely on the basis of a disclosure statement made by the co-accused, in my opinion it is a fit case for grant of bail. The petition, as such is accepted and the petitioner-Pardeep is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate Hisar.

The petition stands accepted accordingly.

(GURVINDER SINGH GILL)
JUDGE

2.11.2018
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Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No