

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

CRM-M-50030-2018 (O&M)

Date of Decision:-20.11.2018

Deepak

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.P. Jangu, Advocate for the petitioner.

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

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks grant of regular bail in respect of a case registered vide FIR No.434 dated 14.7.2018 under Sections 20-B and 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Dadri, District Charkhi Dadri.

The allegations, in nutshell, are that on 14.7.2018 when the police party had held 'Nakabandi' then Sandeep was apprehended, who was going on a motorcycle and upon his search 600 grams of '*charas*' was recovered. It is further the case of prosecution that upon interrogation said Sandeep suffered a statement to the effect that he had procured the said '*charas*' from the petitioner-Deepak for an amount of ₹20,000/-.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and is being implicated solely on the basis of statement of co-accused, the veracity and evidentiary value of which is yet to be tested at the stage of trial.

On the other hand, the learned State counsel has submitted that in view of the specific statement made by co-accused, no case for grant of regular bail to the petitioner is made out.

Having considered the rival submissions addressed before this court and bearing in mind the fact that the petitioner was not arrested at the spot and is being implicated solely on the basis of disclosure statement of co-accused and also the fact that it is a case of recovery of non-commercial quantity of '*charas*' and that the challan has already been presented, in my opinion, it is a fit case for grant of bail to the petitioner. The present petition, as such, is accepted and the petitioner is ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands accepted accordingly.

20.11.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No