

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

223

CRM-M-4195-2019

Date of decision : 20.12.2019

Nnaemeke Innocent @ Mustafa

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Lalit Sharma, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.298 dated 15.11.2018 under Sections 21 and 29 of the NDPS Act, registered at Police Station Parao, District Ambala.

Learned counsel for the petitioner contends that the petitioner is neither named in the FIR nor any recovery has been effected from him. He further contends that the petitioner has been arraigned as an accused on the statement of co-accused, namely, Montu, from whom recovery of 150 grams of heroin has been effected. The main accused- Montu had been granted regular bail by the Additional Sessions Judge, Ambala on 01.02.2019. He also contends that the petitioner was involved in another case wherein 6.2 grams of heroin was recovered from co-accused and the petitioner was also arraigned as an accused on the statement of co-accused in that case as well. The petitioner had been granted regular bail in that case by the Coordinate Bench of this Court in CRM-M-19808 of 2019, on 04.07.2019. The petitioner is in custody for over one year and one month.

Learned State counsel, upon instructions from ASI Balkar Singh, states that 01 out of 17 prosecution witnesses has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when no recovery has been effected from the petitioner; he is in custody for over one year and one month and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

December 20, 2019

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Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No