

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

CRM-M No. 5288 of 2019
Date of decision : February 11, 2019

Satbir

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Jitender Dhanda, Advocate
for the petitioner.

Dr. Sushil Gautam, DAG Haryana

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.28, dated 2.2.2018, registered under Section 22-C of the NDPS Act and Section 18-A & 18-C of the Drugs and Cosmetics Act, at Police Station Bhuna, Fatehabad.

As per the allegations, when the police party was on routine patrolling, two boys riding a motor cycle came there. The police party was suspicious on seeing their conduct because on seeing the police both the boys stopped their motor cycle and one of them ran away and the other was arrested from whose possession cough syrup and psychotropic tablets were recovered.

Counsel for the petitioner has argued that the petitioner was not arrested from the spot and he has been implicated only on account of the

disclosure statement of the co-accused and even no recovery has been made from him.

These factual assertions have been accepted by learned DAG Haryana on instructions from ASI Kheta Ram. He also accepted that apart from that disclosure statement, there is no other evidence against the petitioner.

Custody certificate has been filed, as per which the petitioner has been in custody for one month and twenty days. In these circumstances, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

February 11, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No