

CRM-M-16181 of 2019

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

CRM-M-16181 of 2019
Date of Decision: 12.04.2019

Ramesh

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Sandeep Kotla, Advocate, for the petitioner.
Mr. Munish Sharma, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.415 dated 14.08.2018 registered under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Hansi City, Hisar.

According to the prosecution, on 14.08.2018 co-accused of the petitioner, namely, Sewa wife of Ramesh was apprehended with 8 kg. 300 gms. “ganja”, who on interrogation disclosed name of the petitioner from whom she had purchased the said contraband.

Learned counsel for the petitioner *inter alia* contends that petitioner has falsely been implicated in the instant case. He is not named in the FIR. Alleged quantity recovered from the co-accused of the petitioner falls under the category of “non-commercial” quantity. Main accused has already been enlarged on bail by the trial Court vide order dated 25.09.2018.

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Petitioner is in custody since 15.12.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail. Treating the case of the petitioner on the same parity as that of his aforesaid co-accused, he may also be granted regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail on the same parity as that of his aforesaid co-accused, during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

April 12, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No