

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

312

CRM-M-16416-2019

DATE OF DECISION: 31.10.2019

NARENDER

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. A.G., Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.29 dated 03.02.2019, under Section 22 of the NDPS Act, registered at Police Station Sirsa Sadar, District Sirsa.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. He further contends that no recovery has been effected from the petitioner and he has been arraigned as an accused on the statement of the co-accused from whom 1600 capsules of Tramadol were recovered. He also contends that there is no prima facie evidence to connect the petitioner with the alleged commission of offence. He is in custody for almost 9 months and is not involved in any other case under the NDPS Act.

Learned State counsel, upon instructions from ASI Jaivir, is not in a position to controvert the submissions of the learned counsel for the petitioner that no recovery has been effected from the petitioner and he is being arraigned as an accused on the statement of the co-accused.

He also states that although charges have been framed but none of the 18 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 almost 9 months, he is not involved in any other case under the NDPS Act 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 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

31.10.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No