

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

265

CRM-M-22079 of 2019

Date of decision : 12.07.2019

Sube Ram

... Petitioner

Versus

State of Haryana

.. Respondents

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. D.S. Virk, Advocate for the petitioner.

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

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.80 dated 19.03.2019 under Section 21 of the NDPS Act registered at Police Station Cheeka, District Kaithal.

Learned counsel for the petitioner contends that the allegations in the FIR are that 8.150 grms of heroine was recovered from co-accused, namely, Inderjit Singh @ Vicky. The petitioner has been arraigned as an accused on the disclosure statement of the co-accused. He has relied upon the judgment in the case of **Surinder Kumar Khanna Vs. Intelligence Officer, Directorate of Revenue Intelligence** reported as **2018 (8) SCC 271** wherein it has been held that conviction could not be solely on the statement of co-accused. He further contends that there is no other prima facie evidence which would connect the petitioner with the commission of the offence.

Learned State counsel states that the petitioner is also involved in other cases under the NDPS Act. The investigation in this case is complete but no witness has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when non-commercial quantity was recovered from co-accused, the petitioner is in custody for about nine months and 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

July 12, 2019
sonia gugnani

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