

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

245

**CRM-M-22348-2019 (O&M).
Date of Decision: 30.09.2019.**

Virender Kumar

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. K.S. Dhaliwal, Advocate, for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner—Virender Kumar in case F.I.R. No.14 dated 12.01.2019 under Section 21/61/85 of the N.D.P.S. Act, registered at Police Station City Narwana, District Jind.

Learned counsel representing the petitioner contended that the alleged recovery was not from the present petitioner, but from co-accused Vikram. Moreso, co-accused Seema has already been released on bail by this Court vide order dated 31.05.2019 passed in CRM-M-24282-2019 and accused Ashu has also been granted bail vide order dated 18.05.2019 passed by learned Additional Sessions Judge, Jind. The petitioner is in custody since 04.02.2019 and trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel, on instructions from ASI Roshan Lal, contended that the alleged recovery of 1 Kg—300 grams Smack is from co-accused Vikram only and nothing was recovered from the present petitioner and co-accused Seema and Ashu have already been granted bail.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage of the trial and taking into consideration the above facts and the fact that the petitioner is in custody since 04.02.2019, co-accused Seema and Ashu have already been granted bail; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Virender Kumar, is ordered to be admitted to regular bail on his furnishing bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

30.09.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No