

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No. 29674 of 2019

Date of Decision:17.10.2019

Pawan Kumar

.....Petitioner

versus

State of Haryana

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present:- Mr. Amit Choudhary, Advocate  
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana

**MAHABIR SINGH SINDHU, J(Oral)**

Present petition has been filed under Section 439 of the Code of Criminal Procedure (*for short 'Cr.P.C.'*) for grant of bail pending trial to the petitioner in case FIR No.500 dated 14.09.2018, under Section 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'Act'), (lateron Section 201 of the Indian Penal Code has been added), registered at Police Station Ratia, District Fatehabad.

Contends that petitioner is in custody since 03.06.2019 and no recovery has been effected from him. Further contends that as a matter of fact the alleged contraband was recovered from one Hardam Singh, who during investigation nominated one Mangat Ram @ Magga and said Mangat Ram @ Magga has nominated the present petitioner in the alleged crime.

Learned State counsel does not dispute the factual position, depicted above.

Heard both sides and perused the paper-book.

Since no recovery has been effected from the petitioner, he is in custody since 03.06.2019 and conclusion of the trial shall take a long time; therefore, further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully cooperate with learned trial Court without seeking any unnecessary adjournments.

17.10.2019  
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(MAHABIR SINGH SINDHU)  
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No