

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

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**CRM-M No. 29998 of 2019
Date of decision : 13.12.2019**

Rinku

.....Petitioner

Vs.

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. G.S. Sandhu, Advocate, for the petitioner

Mr. Harbir Sandhu, AAG, Punjab

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 141 dated 13.2.2019, registered under Sections 20/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station City Karnal.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the alleged recovery is of 1.250 kg. of charas from the co-accused of the petitioner. No recovery has been effected from the petitioner. The petitioner is in custody since 13.2.2019. There is no other case against the petitioner. In this case, challan has already been filed. Hence, the petitioner is not required for any investigation purposes.

On the other hand, learned State counsel, being instructed by ASI Rajesh Kumar, submits that the petitioner is involved in a case involving huge recovery. However, it is not disputed that no recovery was effected from the petitioner as such. It is also not disputed that the petitioner is in custody since

13.2.2019 and that the challan has already been filed.

In view the above, but without commenting any further on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

13.12.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No