

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

**CRM-M No. 31779 of 2019
Date of Decision:-11.09.2019**

Raj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Chand Ram Olla, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner-Raj Kumar has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 719 dated 29.12.2018, under Section 20 of NDPS Act, registered at Police Station City Hansi, District Hisar.

As per prosecution case, on 29.12.2018, co-accused Om Parkash and Kanta were found in possession of 30 kilograms Ganja without any permit or licence, resulting into registration of the present FIR. On the basis of disclosure statement of co-accused Om Parkash and Kanta, present petitioner-accused Raj Kumar and co-accused Om Parkash were indicted as accused in this case.

Learned counsel for the petitioner contends that the alleged recovery of the contraband was effected from two co-accused, namely, Om Parkash and Kanta. According to him the petitioner was indicted on the disclosure suffered by the said co-accused persons that they purchased the contraband from the petitioner Raj Kumar. Learned counsel further submits that the said disclosure may not be admissible particularly when the petitioner is not involved in any other case of similar nature. According to him the investigation of the case is complete as final report stands filed on 05.3.2019.

On the other hand, the prayer is opposed by learned State counsel, who is assisted by ASI Rajkumar. It is not disputed that the petitioner was not present at the place from where the alleged recovery was effected. He submits that the final report was filed on 05.3.2019 and charges were framed on 08.8.2019.

Considering the above and the fact that the trial is likely to consume some time, further detention of the petitioner may not be justified, therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court, Hisar.

The petition is allowed.

September 11, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

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