

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

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CRM-M-33658-2019.

Date of Decision: 28.08.2019.

Navrang

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Suresh Ahlawat, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner—Navrang son of Hira Lal in case F.I.R. No.70 dated 02.03.2019 under Sections 22, 61 of the N.D.P.S. Act (Section 29 N.D.P.S. Act added lateron), registered at Police Station Pataudi, Gurugram.

Learned counsel representing petitioner contended that the petitioner is in custody since 04.03.2019 and the alleged recovery of 1.8 Kg Methadone has not been effected from him, rather the said recovery was effected from Sudhir, Deepak and Vikas. The petitioner was not present on the spot even and his name was disclosed by co-accused only at a subsequent stage. 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 SI Ramesh Kumar, has affirmed the period of detention as well as the fact that the alleged recovery was not effected from the present petitioner, but from co-accused Sudhir, Deepak and Vikas and name of the petitioner was disclosed on the basis of statement made by co-accused.

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, but taking the above facts into consideration and the fact the petitioner is in custody since 04.03.2019, no recovery was effected from the present petitioner, rather the recovery was allegedly effected from co-accused Sudhir, Deepak and Vikas; 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—Navrang, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

28.08.2019
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No