

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43155-2019 (O&M)
Date of decision: 17.10.2019

Deshraj

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.287 dated 26.07.2019 under Section 22 (b) of NDPS Act, registered at Police Station Rania, District Sirsa.

Learned counsel for the petitioner submits that in fact, the petitioner was arrested in FIR No.286 dated 26.07.2019 registered under Section 27 of NDPS Act, in the same police station, in which recovery of non-commercial quantity of Tramadol capsules was effected. However, he was nominated in the present FIR No.287, on the basis of disclosure statement of co-accused, who was also arrested at the spot. Learned counsel has relied upon the order dated 27.09.2019 passed in CRM-M-40907-2019, vide which the petitioner has been granted the concession of regular bail in FIR No.286, by observing that he was also involved in the present FIR No.287 on the same day.

Learned State counsel, on instructions from ASI Inder Sain, has not disputed the factual position and as per the custody certificate dated 16.10.2019 filed in the Court today, the petitioner is in custody since 26.07.2019.

Without commenting anything on merits of the case, considering the fact that the petitioner was involved in FIR No.286 registered in the same police station, whereas in the instant FIR, no recovery was effected from him and he was only nominated on the basis of disclosure statement of co-accused, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

17.10.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No