

Sr. No.213

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

CRM-M-478 of 2020 (O&M)

Date of Decision: 16.06.2020

Amit Jain

...Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sandeep Kotla, Advocate,
for the petitioner.

Ms. Tanisha Peshawaria, DAG Haryana.

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 359 dated 26.11.2019, registered under Sections 18(c) and 21 of Narcotic Drugs and Psychotropic Substances Act, Police Station Parao, District Ambala.

2. Learned counsel for the petitioner submits that nothing has been recovered from the petitioner and he is in custody since 29.11.2019. According to him, the petitioner has been implicated in the case on the basis of disclosure statement made by co-accused, which has no legal sanctity.

3. On the other hand, learned State counsel opposes the plea. However, on a query of Court, she submits that, per instructions, that during an inspection carried out by the patrolling police officials, no contraband was recovered from the chemist shop of petitioner. She submits that challan has already been filed.

4. The petitioner is in custody since 29.11.2019. Investigation of the case is already over. No useful purpose would be served by keeping him in further custody as neither his custodial interrogation is required nor there is any recovery to be made from him. Though challan has been filed, but commencement of trial is yet to take place. In the circumstances, without expressing any opinion on the merits of the case, petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Ambala.

(ARUN MONGA)
JUDGE

16.06.2020
Jiten

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