

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

CRM-M-2042-2020

Date of decision-23.01.2020

Gurjeet Singh

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.S.Ahluwalia, Advocate for the petitioner.
Mr. Praveen Bhadu, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Gurjeet Singh has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.204 dated 15.09.2018 registered under Sections 15 and 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Siwani, District Bhiwani. The petitioner is in custody since his arrest on 26.07.2019.

As per the prosecution case, on 15.09.2018, on the basis of secret information, accused Pawan Kumar and Navdeep were arrested when they were driving two separate cars. During the search, 12 sacks of poppy husk (containing 25 kgs poppy husk each) were recovered from one car and other 08 sacks (containing 25 kgs poppy husk each) totalling 500 kgs were recovered from another car. During interrogation, petitioner was made accused on the strength of disclosure statements of Pawan and Navdeep.

Learned counsel for the petitioner contends that the petitioner is not the accused person from whom the alleged recovery was effected. It is pointed out that accused Pawan and Navdeep were apprehended with the

alleged contraband on 15.09.2018 and subsequently, on their disclosure statements, the petitioner was indicted on the ground that the said contraband was supplied by the petitioner through his truck, purchased on 16.01.2019. According to him, the alleged evidence is quite weak in nature and the same may not be admissible. He submits that petitioner is not involved in any other case.

On the other hand, learned State counsel assisted by ASI Jaswant Singh, opposed the prayer. However, it is not disputed by him that the poppy husk was recovered from accused-Pawan and Navdeep and petitioner was indicted later on. He has further apprised the Court that charges were framed on 12.09.2019, but no witness has been examined so far.

After hearing learned counsel for the parties, this Court is of the opinion that trial is likely to consume considerable time as prosecution has to examine its witnesses and no useful purpose would be served by keeping the petitioner behind the bars. Resultantly, 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 requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

23.01.2020

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