

CRM-M-4383 of 2020

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

CRM-M-4383 of 2020
Date of Decision: 06.08.2020

Raju

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. D.S. Virk, Advocate, for the petitioner.
Mr. Sumit Jain, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through instant second petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Raju in case FIR No.245 dated 24.09.2018 registered under Section 15 of the Narcotic Drugs and Psychotropic Substances, 1985 at Police Station Ellenabad, District Sirsa.

According to prosecution, on 24.09.2018, six bags containing 12 kgs poppy husk each, totalling 72 kgs, were recovered from the petitioner.

Learned counsel *inter alia* contends that petitioner has falsely been implicated. Petitioner is in custody since 24.09.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by

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detaining the petitioner in jail any more. Co-accused of the petitioner namely, Balwinder and Rohtas have been granted regular bail by this Court vide orders dated 14.01.2019 and 18.10.2019 passed in CRM-M-64501 of 2018 and CRM-M-43547 of 2019. Therefore, treating the case of the petitioner on the same parity as that of his co-accused, he may also be granted regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Petitioner – Raju – is ordered to be released on bail during pendency of trial, if not required in any other case, on the same parity as that of his aforesaid co-accused, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

August 06, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No