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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.12827 of 2020 (O&M)
Date of Decision: 03.06.2020

VINOD KUMAR

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Amit Chaudhary, Advocate
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.21 dated 04.03.2020, registered under Sections 22(b) and 22(c) of the NDPS Act, 1985 at Police Station Bhattu Kalan District Fatehabad.

As per allegations in the FIR, co-accused Ajay @ Chhotu son of Lilu Ram was found in possession of 18 strips (180 capsules) of Parvorin-Spas (Tramadol) bearing batch no.PAR-1913, Mfg. Date July 2019 and Exp. Date June 2021 having weight of 117.36 gms without weight of wrapper and 9

bottles of Chlospheniramine Maleate & Codeine Phosphate Syrup Maharex bearing batch no.TBHT0081, mfg. Date 01/2020, Exp. Date 12/2021 having weight of 1 kg. 98 grams without weight of bottles.

Learned counsel for the petitioner submitted that in the disclosure statement of the co-accused name of the petitioner came to be disclosed. Petitioner was arrested on 06.03.2020. Nothing has been recovered from the petitioner over and above the recovery which has already been effected from the co-accused Ajay @ Chhotu.

The aforesaid factual matrix could not be refuted by learned State counsel on the basis of instructions received by him from the Investigating Officer.

Since the name of the petitioner came to be disclosed only by the co-accused, who was found in conscious possession of the contraband, therefore, keeping in view the custody of the petitioner since 06.03.2020, I am of the view that he can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

June 03, 2020	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No