

Balbir

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Arpandeeep Narula, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

Reply dated 21.07.2020 has been filed in the Court. The same is taken on record.

The petitioner seeks grant of regular bail in case FIR No. 312 dated 22.12.2019 registered under Section 22-B of the NDPS Act, 1985 at Police Station Kalanwali, District Sirsa.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than six months and that the trial is not likely to be concluded at an early date as charges have not yet been framed. The petitioner has been falsely implicated as he was in custody on the date of registration of the FIR and, thus, he may be granted regular bail.

Custody certificate dated 09.07.2020 has been filed in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 6 months and 26 days and there are two other cases under the NDPS Act, 1985 against him.

Learned State counsel does not dispute that the charges have not yet been framed.

Regarding two other pending cases, learned counsel for the petitioner admits that the said cases were registered on account of possession of small quantities of Heroin. The petitioner has also been granted regular bail in the said cases.

Keeping in view the custody period as well as the fact that the trial is not likely to be concluded at an early date including the fact that false implication can not be ruled out in the facts and circumstances of the present case, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 06, 2020
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[SUDHIR MITTAL]
JUDGE

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