

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16040-2020 (O&M)

Date of Decision: 08.07.2020

Farul

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Narinder S. Lucky, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

* * *

VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No. 101, dated 9.4.2020 registered under Section 188 of IPC, 1860 and 21, 27(a), 29 of NDPS Act, 1985 registered at Police Station Sadar Rohtak, District Rohtak.

Briefly, the FIR has been registered on the allegations that a sum of Rs. 3,50,000/- were recovered from Farul-petitioner and Magan. During interrogation, the petitioner had disclosed that he used to supply the heroin and earn money out of it. On the previous day, Magan had informed that a person had come from Gurugram to the village with 350 gms of heroin and has asked him to search for a customer. Magan telephonically called Kala who gave consent to purchase the same. Magan collected the heroin from Happy @ Sachin and came to the petitioner on his motor-cycle and the heroin was sold to Kala for a sum of Rs. 3,50,000/-.

It has been stated by learned counsel for the petitioner that no

narcotic substance has been recovered from the petitioner and the allegations are based upon the alleged disclosure made by the petitioner during the course of interrogation.

The arrest of the petitioner was effected on 9.4.2020. His custodial interrogation is over, investigation of the case is complete, challan has already been presented in the Court. Furthermore, co-accused namely Magan and Randeep have been granted bail by the learned Addl. Sessions Judge, Rohtak. It has also been stated by learned counsel for the petitioner that co-accused Kala has been granted pre-arrest bail by the Co-ordinate Bench of this Court.

It has been further stated that another case under NDPS Act was registered against the petitioner prior to the present one but he is on bail.

Learned State counsel has not disputed the factual aspect of the matter.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making 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 concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(VIVEK PURI)
JUDGE

08.07.2020

Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No