

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-20342-2020 (O&M)

Date of Decision:- 17.8.2020

Robin @ Binda

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kamaldeep Singh Redhu, Advocate,
for the petitioners.

Mr. Karan Sharma, AAG, Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.166, dated 17.5.2020, Police Station Kalanaur, District Rohtak, under Section 20 NDPS Act and Section 188 of IPC.
2. The case of prosecution is that a secret information was received on 17.5.2020 to the effect that Sunil, Mannu, Palu, Robin, Vinod and Raju indulged in sale and purchase of 'ganja patti' and that one Arun had come with a truck loaded with 'ganja patti' and that they were unloading the same near Bus Stand of Village Baniyani. Pursuant to receipt of said information the police swung into action and reached

at the spot where a truck was found which was being unloaded.

Arun, Jatinder and Sunil were apprehended at the spot and 256.90

Kgs of '*ganja patti*' was recovered from the truck in question.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and was never arrested at the spot and that he is a young men who has a clean record and as such deserves the concession of bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has further been submitted that pursuant to disclosure statement made by petitioner, 2 kgs of 'Ganja Patti' has been got recovered at his instance. Learned State counsel upon instructions from SI Bharat has however, informed that the petitioner is not involved in any other case.
5. Having regard to the fact that the petitioner was never apprehended at the spot and is not involved in any other case, the petition merits acceptance and is hereby accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

August 17, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No