

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

CRM-M-21163-2020 (O&M)

Date of Decision: 13.08.2020

Sanjeev Sharma

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. S.S. Behl, Advocate,
for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., seeking 'regular bail' for the petitioner in case FIR no. 120, dated 08.04.2019, registered at Police Station Naraingarh, District Ambala, for the alleged commission of offences punishable under Sections 15/29/61/85 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody for the past 09 months now, with no prosecution witness out of 22 having been examined so far and the petitioner has been only named as an accused by the person from whom more than one quintal of poppy husk is stated to have been recovered (as per the case of the investigating agency).

He further submits that the other FIR registered against the petitioner actually arises out of the same occurrence because the person apprehended with poppy husk is also stated to have named one 'Jony', to whom he had sold the poppy

husk and therefore the petitioner has been named in that FIR also, but has been admitted to bail.

Learned counsel for the State however submits that a large quantity of poppy husk having been recovered from his co-accused, and the petitioner having been specifically named by him as the person from whom he had purchased it, he does not deserve the concession of bail.

Having considered the matter, keeping in view the period of custody and also the entire circumstances narrated hereinabove, without making any comment on the actual merits of the case, for or against the petitioner, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate, concerned.

August 13, 2020
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.