

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

CRM-M-30337-2020
Date of Decision: 06.10.2020

MANGE RAMPETITIONER

Versus

STATE OF HARYANARESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Paramjit Singh Jammu, Advocate,
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

SANT PARKASH J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.215 dated 18.07.2020 under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short, 'Act'), registered at Police Station Ellenabad, District Sirsa.

As per the prosecution, during patrolling duty headed by SI Tara Chand, a boy was apprehended having a black plastic carry bag in his right hand, who on interrogation, disclosed his name as Hanuman son of Mahender Singh, resident of village Neemla. On search, 200 capsules, salt tramadol, were recovered and disclosed the fact that he purchased

the recovered tablets from Mange Ram (present petitioner) son of Ladu Ram. After necessary formalities, FIR was registered and petitioner was arrested on 04.08.2020.

Learned counsel for the petitioner has contended that petitioner has been falsely implicated in the present case only on the basis of disclosure statement of co-accused. Moreover, the main accused namely Hanuman, has already been granted the concession of regular by this Court in CRM-M-25585-2020 vide order dated 07.09.2020. The petitioner has been in custody since 04.08.2020.

Per contra, learned State counsel has opposed the petition while contending that petitioner is equally liable with co-accused rather committed more heinous offence.

I have heard learned counsel for the parties and with their kind assistance, have gone through the record of case.

As per the prosecution, the petitioner provided 200 intoxicating capsules (Salt Tramadol) to co-accused Hanuman. The name of the petitioner was disclosed by co-accused and he is behind bars since 04.08.2020. Moreover, the main accused has already been granted the concession of regular bail.

Keeping in view the totality of facts & circumstances of the present case and the fact that since the trial of the case will take long time, no useful purpose would be served by keeping the petitioner in custody further, since he is already behind bars since 04.08.2020; including the fact that co-accused has already been granted the concession of regular bail, the present petition is allowed.

The petitioner is ordered to be released on bail on his furnishing adequate bail/surety bonds to the satisfaction of the trial court/Chief Judicial Magistrate/Duty Magistrate concerned.

**(SANT PARKASH)
JUDGE**

October 06, 2020
sonika

whether speaking/reasoned: Yes/No
whether reportable: Yes/No