

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M-30275 of 2020
Date of Decision: 24.11.2020

Jyoti

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Simranjeet Singh, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, 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.

By this petition, the petitioner seeks the concession of 'regular bail', upon FIR no.129, dated 18.04.2020, having been registered at Police Station Bhuna, alleging therein the commission of an offence punishable under Section 51 (b) Disaster Management Act, 2005, as also offences punishable under Sections 188 and 269 of the IPC and Sections 21(b), 27(a) and 29 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been arraigned as an accused in the present FIR on the disclosure statement allegedly made by a co-accused, but the person from whom 100 gms. of heroin were allegedly recovered, has been already admitted to bail by an order of this court

dated 12.10.2020, passed in CRM-M-18332 of 2020.

Naturally, learned State counsel could not deny the aforesaid position.

He however submits that the scooty being used by those apprehended with the contraband (as per the case of the prosecution), stands registered in the name of the petitioner, with there being another FIR also registered against him for the commission of similar offence.

Having considered the matter, though there is also an allegation against the petitioner that he gave Rs.35,000/- to the co-accused to purchase the heroin, however since even the person from whom the contraband is stated to have been recovered has been admitted to bail, I see no reason to refuse the concession of bail to the petitioner.

Consequently, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

November 24, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No