

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

212

CRM-M-30893-2020
Date of Decision: 07.10.2020

Sunil Kumar @ Suraj

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr.Samrat Nigam, Advocate for
Mr.Umesh Kumar Kanwar, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General Haryana.

Lalit Batra , J . (Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Sunil Kumar @ Suraj** in case F.I.R. No.214 dated 28.08.2020 under Sections 22-C and 29 of NPDS Act, 1985 registered at Police Station Cheeka, District Kaithal.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that allegedly recovery of contraband was effected from co-accused Mukesh and Ritik. He further urges that petitioner has been falsely implicated in the instant case solely on the basis of disclosure statements of co-accused namely Mukesh and Ritik, whereas no contraband was recovered at the instance of petitioner. He further urges that the petitioner is

in custody since 29.08.2020. He further submits that petitioner is no more required by the police for any investigation purpose. He further submits that since presentation of challan and consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 29.08.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that since presentation of challan and consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Sunil Kumar @ Suraj** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Kaithal, as the case may be.

October 07, 2020
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(LALIT BATRA)
JUDGE

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