

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

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CRM-M-32227-2020(O&M)

Date of Order: 16.10.2020

SANDEEP @ DHOLLU

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanchit Punia Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner-Sandeep @ Dhollu son of Sh. Dud prays for grant of bail pending trial in a criminal case arising from FIR No.163, dated 09.06.2020, registered under Section 188 IPC and Section 20/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Hansi Sadar, District Hisar.

As per the case of the prosecution, Sachin and Surender were apprehended with 112 Kgs. 'Ganja'. Whereas Sonu, another accused is stated to have run away after seeing the police party.

Learned counsel for the petitioner contends that the petitioner is sought to be indicted as an accused on the disclosure statement of Surender to the effect that the petitioner was present when they purchased the aforesaid narcotics from a place located in State of Uttar Pradesh. He further submits that the petitioner is in custody since 23.06.2020 and except

the disclosure statement of a co-accused, the prosecution has not been able to collect any other material to connect the petitioner with the offence.

On the other hand, Sh. Chetan Sharma, Assistant Advocate General, Haryana, has submitted that the petitioner is involved in a heinous crime.

On completion of the investigation, the police has already submitted its report under Section 173 Cr.P.C. Attention of this Court has not been drawn to any admissible evidence showing *prima-facie* involvement of the petitioner. The conclusion of the trial is likely to take time.

Sh. Chetan Sharma, Assistant Advocate General, Haryana, on instructions from SI Naresh, has submitted that the petitioner is a person with clean antecedents.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 23.06.2020 and conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Accordingly, the present petition is allowed with the aforesaid directions.

October 16, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No