

CRM-M-33820-2020
Date of Decision: 03.11.2020

SURENDER @ CHHINDA ... PETITIONER
VS.
STATE OF HARYANA .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. V.B.Godara, Advocate
for the petitioner.

Mr. Deepak Bhardwaj, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

Through instant petition, the petitioner is seeking regular bail in case FIR No. 102 dated 08.03.2020 under Sections 22-C/27-A/61/85 of the NDPS Act registered at Police Station City, Tohana, District Fatehabad.

Briefly, the aforesaid FIR has been registered in pursuance of recovery of 1300 tablets of alprazolam (total weight 153 grams 400 ml. grams) and 1000 tablets of tramadol hydrochloride (total weight 406 grams).

It has been stated by learned counsel for the petitioner that the petitioner has not been named in the FIR; no recovery has been effected from him and he was nominated on the basis of disclosure statement of co-accused, namely, Rinku. He further contends that the arrest of the petitioner was effected on 09.06.2020 and no other case has been registered against him. Counsel further asserts that the investigation of the case is complete and challan has been presented in the Court.

Learned State counsel, on instructions from ASI Mahavir Singh, has not assailed the factual aspect(s) of the matter but has stated that the petitioner has made a confessional statement to the effect that he has supplied the contraband to co-accused-Rinku.

Be that as it may, keeping in view the facts that the petitioner has been nominated on the basis of disclosure statement of co-accused, no recovery has been effected from him and significantly he is not involved in any other case, the ends of justice will be met if the petitioner is granted bail. Accordingly, without making any observation on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate/trial Court.

03.11.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No