

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

210

CRM-M-34318-2020(O&M)

Date of decision :02.11.2020

SAHIL

.....Petitioner

versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Keshav Partap Singh, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J. (ORAL)

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

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.226, dated 01.10.2020, registered under Section 22-C/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Tohana, District Fatehabad.

As per the case of the prosecution, Sukhbir @ Mannu son of Randhir Singh and Sandeep @ Kala son of Om Parkash were apprehended with 10,000 Tramadol Hydrochloride tablets. The petitioner is sought to be indicted as an accused on their disclosure statements.

Learned counsel for the petitioner submits that the petitioner is being falsely implicated on account of the fact that he had an altercation with a police official. He further submits that previously also the petitioner was similarly sought to be indicted as an accused in another FIR on the basis of disclosure statement, resulting in his arrest on 04.09.2020. He submits that

the petitioner has been granted concession of bail in the aforesaid case on 08.10.2020. He submits that except these two cases which have been registered recently, the petitioner is not a person with any other criminal antecedents.

On the other hand, Sh. Chetan Sharma, Assistant Advocate General, Haryana has contended that the recovery in the present case is huge and falls in the category of commercial quantity.

This court has considered the submissions and with the able assistance of learned counsels, perused the paper book.

On a court question, learned counsel for the State has admitted that apart from the disclosure statement, the investigating officer has not drawn his attention to any other material collected to connect the petitioner with the offence. Still further, the recovery is not from the petitioner.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 03.09.2020 and the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

November 02, 2020
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(ANIL KSHETARPAL)
JUDGE

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