

**CRM-M-37526-2020**

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

**CRM-M-37526-2020**

**Date of decision: 17.11.2020**

Kamal

...Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. D.S.Virk, Advocate,  
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

**HARNARESH SINGH GILL, J. (ORAL)**

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case FIR No.362 dated 14.10.2020, registered at Police Station Sadar Dabawali, District Sirsa, under Section 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that the intoxicant tablets containing the salt of 'Tramadol Hydrochloride', allegedly recovered from Sunil-brother of the petitioner, falls under the ambit of non-commercial quantity; that the petitioner was indicted in the above-noted FIR on a disclosure statement of the aforesaid co-accused, and that the petitioner has been in custody since 16.10.2020.

On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, contends that the petitioner is the real brother of co-accused, Sunil and they are involved

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in drug-trafficking. The learned State counsel, on instructions from SI Om Parkash, submits that there is no other case pending or registered against the petitioner.

I have heard the learned counsel for the parties.

The petitioner was not arrested at the spot and indicted solely on the disclosure statement of the co-accused. He has been in custody since 16.10.2020. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**17.11.2020**

parveen kumar

**(HARNARESH SINGH GILL)**

**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No