

CRM-M-38214-2020

Date of Decision: 25.11.2020

Sonu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Mr. Manish Dadwal, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. seeking 'regular bail' for the petitioner in case FIR no. 163, dated 09.06.2020, registered at Police Station Hansi Sadar, District Hisar, for the alleged commission of offences punishable under Sections 20/29 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner is similarly placed as his co-accused Sandeep @ Dholu and Ramesh Kumar, who have already been admitted to bail by this court, vide orders passed in two different petitions, i.e. CRM-M-32227 of 2020 and CRM-M-36025 of 2020, on 16.10.2020 and 11.11.2020 respectively.

Learned State counsel, on the other hand, submits that the petitioner is not identically placed as the aforesaid two persons, as he was also

named along with his co-accused Sachin and Surender, by a secret informant,

on the basis of which Sachin and Surrender were apprehended with 112 kgs of 'Ganja', and with the petition filed by the aforesaid Sachin, i.e. CRM-M-36197 of 2020, already having been dismissed by this court on 12.11.2020.

However, he obviously could not refute the fact that the petitioner was not apprehended at the spot, though his contention is that he fled away from there (as per the case of the prosecution).

The period of custody of the petitioner for the past 05 months is also not denied, with him also further stating upon query of this court that there is no other criminal case registered against the petitioner.

That being so, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate, concerned.

It is to be noticed that the bail application of the aforesaid Sachin was dismissed on 12.11.2020 by the same Bench as had admitted Sandeep alias Dhollu to bail on 16.10.2020, whereas the petition filed by the aforesaid Ramesh Kumar was allowed on 11.11.2020 by this very Bench.

November 25, 2020

nitin

(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.