

CRM-M-37523-2020

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

CRM-M-37523-2020

Date of decision:17.11.2020

Rajender Singh alias Raju

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikas Bishnoi, 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.247 dated 28.07.2020, registered at Police Station Bhuna, District Fatehabad, under Sections 22-C and 27-A of NDPS Act, 1985.

Learned counsel for the petitioner submits that in fact, co-accused, namely, Satpal @ Satia and Kuldeep were arrested at the spot and on the disclosure statement of co-accused, namely, Kuldeep, Pritam was indicated in the present case and that it was on the disclosure statement of co-accused, Pritam, the petitioner was also indicted in the present case. It is further contended that that no recovery was effected from the petitioner and there is no other case pending or registered against him. He also states that the petitioner has been in custody since 19.08.2020.

On the other hand, learned State counsel while opposing the prayer made in the present petition, submits that recovery effected from co-accused, namely, Satpal @ Satia and Kuldeep, falls under the commercial

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quantity. However, he does not dispute the fact that the petitioner was indicted on the disclosure statement of the co-accused. It is also stated that the challan is yet to be presented.

I have heard the learned counsel for the parties.

The petitioner was indicted in the present case on the disclosure statement of the co-accused. He has been in custody since 19.08.2020. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping him 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?
Whether reportable?

Yes/No
Yes/No