

**In the High Court of Punjab and Haryana at Chandigarh**

**CRM-M No. 41811 of 2020  
Date of Decision: 17.12.2020**

Sanjay

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Sandeep Kotla, Advocate  
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G, Haryana.

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

Case is taken up for hearing through video conferencing.

This is the fourth petition under Section 439 Cr.P.C. for regular bail in FIR No. 232 dated 06.7.2018 under Sections 15 and 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Matlauda, Panipat.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case. The petitioner was driving the car in question, which was hired by co-accused Ram Mehar @ Mehar Singh and Surender @ Pappu and the bags, containing the contraband recovered from the dickey of the said car, do not belong to the petitioner. He further submits that co-accused Ram Mehar alias Mehar Singh has been granted regular bail by this Court on 03.12.2020 and the petitioner has been in custody since 06.7.2018.

On the other hand, learned State counsel submits that the earlier petition for regular bail filed by the petitioner and the co-accused was dismissed on 26.8.2019 by a Coordinate Bench of this Court. There is no change of circumstance and hence, the petitioner is not entitled to any indulgence.

The petitioner has been in custody since 06.7.2018. Though the case of the petitioner is that he was the driver of the car, in which the contraband was recovered and the said car was hired by the co-accused, yet the said fact is to be determined on the basis of evidence led before the trial Court. Moreover, co-accused Ram Mehar alias Mehar Singh has already been granted regular bail by this Court vide order dated 03.12.2020. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

**(HARNARESH SINGH GILL)**  
**JUDGE**

**December 17, 2020**  
**Gurpreet**

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