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

**CRM-M No.41747 of 2019
Date of Decision: 08.01.2020**

Vikas

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rajnikant Upadhey, Advocate for
Mr. Jagdeep Singh, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.223 dated 24.08.2019 registered under Section 22-C of NDPS Act at Police Station Rattia, District Fatehabad.

On 28.06.2019, police was on patrolling duty. Pargat Singh son of Kewal Singh was intercepted by the police and polythene bag was recovered from him. On checking of the polythene bag, the same was found containing 15 bottles of Onerex syrup containing 100 ml each. Total weight of the recovered contraband was found to be 2 kg. 25 grams. Weight

of the empty bottles was found to be 195 grams and in this manner, the weight of the contraband was found to be 1 kg. 830 grams in total. The contraband was bearing batch number as well as manufacturing details.

On interrogation, Pargat Singh suffered a disclosure statement of having purchased the contraband in question from the petitioner. In first disclosure statement on 25.08.2019, Pargat Singh has not named the petitioner except to say that on 24.08.2019, he had purchased the contraband from unknown person in kamana mandi. In the disclosure statement of even date, he has qualified the name of the petitioner from whom he had purchased the contraband on 24.08.2019.

Police has not recovered anything from the petitioner. The complicity of the petitioner would remain debatable. He is in custody since 26.08.2019.

Learned State counsel on instructions from ASI Radheysham, however opposed the prayer on the ground that the recovery from the main accused is commercial in nature and FSL report is still awaited.

Looking at the allegations and circumstances of the case and without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail

subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate, Fatehabad.

Nothing expressed hereinabove, shall be construed to be an expression of any opinion on merits of the case.

January 08, 2020.
Prince

(RAJ MOHAN SINGH)
JUDGE

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