

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-50539 of 2019 (O&M)

Date of Decision: 20.01.2020

Ifeanyi Chika Okafor @ Peter @ Waga

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Garima Sharma, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this second petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 317 dated 16.09.2017 registered under Sections 21, 29, 61, 85 NDPS Act, 1985 and 12 of Passport Act 1967 and 14 of Foreigners Act, 1946 registered at Police Station Baldev Nagar, Ambala.

Learned counsel for the petitioner states that in the FIR no recovery has been effected from the petitioner and the petitioner has been involved in the present case on the disclosure statement of the co-accused.

It has also been brought to the notice of this Court that the passport of the petitioner was lost as per the endorsement by the Passport Control Officer,

Nigeria Embassy dated 27.12.2018 and he has been issued a fresh

passport.

On the instructions from ASI Ramesh Kumar, learned State brought to the notice of this Court that out of 20 prosecution witnesses, only 11 witnesses have been examined and also not disputed the fact that he has undergone 02 years and 04 months custody. Now the next date is fixed 30.01.2020.

I have heard the learned counsel for the parties.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration, the petition is allowed and the petitioner-Ifeanyi Chika Okafor @ Peter @ Waga is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate concerned.

(HARNARESH SINGH GILL)
JUDGE

January 20, 2020

Manju

Whether reasoned/speaking?

Yes

Whether reportable?

No