

CRM-M-3975-2021

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

CRM-M-3975-2021

Date of decision: 25.08.2021

Kuldeep

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Surinder Singh Duhan, Advocate,
for the petitioner.

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

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Copy of status report dated 26.03.2021, by way of affidavit of the Deputy Superintendent of Police, Fatehabad, filed in the Registry, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.247 dated 28.07.2020, registered at Police Station Bhuna, District Fatehabad, under Sections 22(c) and 27-A NDPS Act.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that though the recovery of intoxicant tablets allegedly effected in the present case, falls under the commercial quantity, yet the fact remains that the petitioner has been in custody since 29.07.2020 and the prosecution witnesses are yet to be examined. He further contends that challan stands presented, but the report of FSL is still awaited. Moreover, there is no other case pending or

registered against the petitioner.

CRM-M-3975-2021

The prayer for bail is nevertheless opposed on behalf of the State by submitting that the recovery effected in the present case falls under the commercial quantity. He also submits that during the course of investigation, the call details of mobile number of the petitioner as well as co-accused, Pritam were verified and it was found that there had been several conversations between both of them.

I have heard the learned counsel for the parties.

The challan stands presented. The report of FSL is still awaited. The recovery effected in the present case falls under the commercial quantity, but the fact remains that the petitioner has been in custody since 29.07.2020 and the prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon, especially due to Covid-19. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, the petitioner is not involved in any other case, at least of a similar nature.

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.

25.08.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No