

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

214

CRM-M-4244-2021

Date of Decision:05.02.2021

PURAN MAL

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Puran Mal** in case F.I.R. No.184 dated 08.06.2020 under Sections 22-C and 27-A of NDPS Act, registered at Police Station Bhuna, District Fatehabad.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further

submits that petitioner was not named in the FIR, whereas his name surfaced later on in the array of accused in terms of disclosure statement of co-accused Satbir Singh. He further urges that alleged recovery of 1400 tablets of 'Tramadol' was effected from co-accused Satbir Singh. He further urges that alleged recovery of 1400 tablets of 'Tramadol' cannot be stretched to have been effected from the conscious possession of petitioner, thus, rigours of provisions of Section 37 of NDPS Act cannot be attracted against the petitioner. He further submits that petitioner is in custody since 11.08.2020 and he is no more required by the Police for any investigation purpose. He further submits that challan has already been presented in the Court on 24.09.2020. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 11.08.2020 and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Puran Mal** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Fatehabad, as the case may be.

05.02.2021

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(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No