

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 213

Case No. : CRM M-9139 of 2021

Date of Decision : March 04, 2021

Sahil @ Chocha Petitioner

vs.

State of Haryana Respondent

CORAM : HON'BLE MS. JUSTICE JAISHREE THAKUR.

* * *

Present : Mr. Sanpreet Sandhu, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

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JAISHREE THAKUR, J. (Oral) :

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.446 dated 22.07.2020 under Sections 22 and 29 of NDPS Act, 1985, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

Counsel for the petitioner contends that the petitioner was not named in the FIR nor arrested at the spot, however, has been dragged in on the basis of a disclosure statement of co-accused Ramesh Kumar @ Rameshi. It is also submitted that the recovery of 05 grams 56 miligrams of smack that was effected, was in fact recovered from the co-accused. It is submitted that the matter has been investigated and the challan has been presented, therefore, the custody of the petitioner would no longer be required and prays for concession of bail to the petitioner.

Learned counsel appearing for the respondent-State opposes the bail application of the petitioner by submitting that no ground for bail is made out as there are four other cases pending against the petitioner. However, learned counsel for the petitioner submits that the petitioner is already on bail in three cases and acquitted in one of them.

I have heard learned counsel for the parties.

Keeping in view the aforesaid factual position and the fact that challan has already been presented and the trial is likely to take some time to conclude, no useful purpose would be served by keeping the petitioner behind the bars.

The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

March 04, 2021

monika

(JAISHREE THAKUR)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>