

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 223

CRM-M-16357-2021

Date of decision : 07.09.2021

Sheshkaran @ Monu @ Mania

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.H.S.Dandiwal, Advocate, for the petitioner.

Mr.Zorawar Singh Chauhan, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.163 dated 04.05.2020 registered under Section 51(b) of Disaster Management Act, 2005, Section 188 IPC and Sections 22(C)/61/85 of the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act (Section 27(A) of the NDPS Act added later on) at Police Station Sadar Fatehabad, District Fatehabad.

The petitioner is being prosecuted for having been found in illegal possession of 990 tablets containing Tramadol Hydrochloride.

Learned counsel for the petitioner submits that the petitioner, who is a young boy aged 20 years has been falsely implicated in the case; he is in custody since 04.05.2020; there is no recovery made from the petitioner's person; there is no other criminal case in which he is involved; investigation in this case is complete; the identically placed co-accused Amit Kumar @ Monu @ Dholu has already been granted regular bail through order of this Court dated 16.03.2021 passed in CRM-M-23242-2020 and that the petitioner's trial, which is yet to begin, is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner was found in illegal possession of 990 tablets containing Tramadol Hydrochloride and if released on bail he is likely to indulge in similar offences.

The petitioner is a young boy aged 20 years; he has been in custody since 04.05.2020; there is no other criminal case in which he is involved; investigation in this case is complete; similarly situated co-accused namely Amit Kumar @ Monu @ Dholu has already been granted regular bail by this Court and that the petitioner's trial which, is yet to begin, is likely to take a long time to conclude.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Fatehabad, who shall insist on heavy local sureties, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

07.09.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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