

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

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CRM-M-16054-2021

Date of Decision: 29.06.2021

Sunny

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vinod Kumar, Advocate, for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.297 dated 25.10.2020 at Police Station Sadar Tohana, District Fatehabad, under Sections 22-C/27-A/29/61/85 of the NDPS Act.
2. As per the case of the prosecution, the police party during the course of barricading intercepted vehicle bearing registration No.HR-40-G-4896 on 25.10.2020. The driver of the said vehicle disclosed his name as Dilbag Singh, while the other person sitting alongside him disclosed his name as Beant Singh. Upon search of the vehicle, two bags were found lying on the rear seat. Upon search of the bags, one bag was found to contain 20000 tablets of 'Tramadol Hydrochloride', while the other bag was found to contain 19960 tablets of 'Tramadol Hydrochloride'. During the

course of interrogation, the accused suffered a disclosure statement to the effect that they have purchased the said contraband from Anil, who had purchased the same from Pawan Kumar. Upon arrest of Pawan Kumar, he disclosed that he had procured the contraband from Monu. Monu further disclosed that he had purchased the contraband from Sunny (petitioner). The petitioner was arrested on 04.02.2021 and is alleged to have suffered a disclosure statement regarding supplying the contraband to Monu.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that no recovery whatsoever was ever effected from the petitioner. It has further been submitted that several other co-accused, who have been nominated on the basis of disclosure statement/s including Monu, have already been granted regular bail.
4. Opposing the petition, learned State counsel has submitted that since large quantity of contraband was recovered, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 4 ½ months and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that no recovery was ever effected from the petitioner and that he has been nominated on the basis of disclosure statement made by the accused and has already been behind bars since the last more than 4 ½ months, further detention of the petitioner will not serve any useful purpose as the

conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.06.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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