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

CRM-M-17039-2021

Date of Decision: 29.04.2021

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..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sumeet Puri, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana, assisted by
Sub Inspector Satish Kumar.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed on behalf of the petitioner for regular bail under Section 439 Cr.P.C. in case FIR No.297 dated 25.10.2020, under Sections 22-C, 27-A, 29 and 61 of the NDPS Act, registered at Police Station Sadar Tohana, District Fatehabad.

[2]. The petitioner has remained in detention for almost three months, since 03.02.2021.

[3]. Admittedly, no direct recovery was effected from the petitioner. His name has transpired only from the disclosure statement of another co-accused Pawan, from whom again no direct recovery was effected.

[4]. The petitioner's prayer for regular bail has been nevertheless opposed on behalf of the State by contending that they have been able to collect Call Details, pertaining to the conversations between the petitioner

and the said co-accused, to show that they were in contact with each other

shortly before the seizure of the contraband from the other co-accused persons.

[5]. In the opinion of this Court, this is not a sufficient ground to detain the petitioner at this stage for an indefinite period, since no direct recovery was effected from his own possession, as also he is not involved in any other case under the NDPS Act.

[6]. In view thereof, without commenting any further on the merits of the present case as a whole, but in view of the detention undergone by the petitioner, and the fact that the trial is likely to take its own considerable time to complete due to ongoing covid-19 pandemic, as such, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[7]. Disposed off.

29.04.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No