

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-18264-2021

Date of Decision: 20.05.2021

Jarnail Singh

...Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present: - Mr.K.L. Saini, Advocate,
for the petitioner.

Mr.Rahul Mohan, DAG, Haryana.

(Through video conferencing)

HARINDER SINGH SIDHU, J

Prayer is for grant of regular bail in case FIR No.122 dated 25.02.2021 under Sections 15, 27A & 29 of NDPS Act registered at P.S. Shahabad, District Kurukshetra.

As per allegations in the FIR, recovery of 4 kg 300 grams of poppy husk has been effected from the co-accused Subhash Kumar.

Learned counsel for the petitioner contends that name of the petitioner has not been mentioned in the FIR and nothing has been recovered from him. It is submitted that neither the petitioner was arrested from the spot nor he was present at the time of alleged recovery. The name of the petitioner is alleged to have surfaced in the disclosure statement of co-accused Subhash that he had bought contraband from the petitioner.

The petitioner is in custody since 26.02.2021. The investigation in this case is complete. The recovery effected from the co-accused is non-commercial.

Without commenting anything on merit of case and also bearing in mind the fact that trial of case may take a long time, no useful purpose will be served by detaining petitioner behind bars till the conclusion of trial. Accordingly, petition is allowed. Petitioner Jarnail Singh is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

This present petition stands accepted accordingly.

20.05.2021*Vivek*

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No