

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

205

**CRM-M-18602-2021
Date of Decision: 21.05.2021**

Bhupinder Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Gurinder Singh Goraya, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Bhupinder Singh** in case FIR No.118 dated 30.03.2021 under Section 15 of NDPS Act (Section 29 of NDPS Act added later on), registered at Police Station Pinjore, District Panchkula.

Learned counsel appearing for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further urges that petitioner was not named in the FIR. He further urges that petitioner has been arrayed as accused on the disclosure statement of co-accused Jasbir Singh, from whom alleged recovery of 5 kilograms and 445 grams poppy straw (non commercial quantity) was effected. He further submits that co-accused Jasbir Singh has

already been extended the concession of regular bail by the Sessions Court, vide order dated 06.05.2021. He further submits that petitioner is in custody since 04.04.2021 and he is no more required by the Police for any investigation purpose. He further submits that after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that co-accused Jasbir Singh has already been extended the concession of regular bail by the Sessions Court, vide order dated 06.05.2021; that petitioner is in custody since 04.04.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Bhupinder Singh** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Panchkula, as the case may be.

(LALIT BATRA)
JUDGE

21.05.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No