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

CRM-M-24526-2021

Date of Decision: 14.10.2021

Sanjeev @ Kala

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. K.S. Siwach, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.67 dated 25.04.2021, under Sections 22(C), 27A (Act No.61) of the NDPS Act, registered at Police Station Tohana, District Fatehabad.

2. The petitioner has remained in detention for almost six months, since 28.04.2021. After completion of the investigation, Challan against him has already been submitted.

3. Attention of the Court is drawn to the fact that the petitioner was not named in the FIR nor any recovery was effected from him. His complicity has transpired from the disclosure statement of the co-accused Jagsir Singh @ Siri.

4. The prayer of the petitioner for grant of regular bail is nevertheless opposed on behalf of the State by contending that the petitioner

is involved in three other cases under the NDPS Act. It, however, transpires that in one of those case, i.e. in FIR No.234 dated 27.09.2019, under Sections 22(B) and 27A of the NDPS Act, registered at Police Station Sadar Tohana, District Fatehabad, the petitioner is already on bail, after he had been similarly implicated on the basis of a disclosure statement. He was also arrested in connection with FIR No.176 dated 26.04.2021, under Section 15 of the NDPS Act, registered at Police Station City Tohana, District Fatehabad, one day after the FIR in the present case was drawn up and thereafter while in custody, he has been implicated in FIR No.504 dated 21.10.2020, under Sections 22C and 27A of the NDPS Act, registered at the same Police Station.

5. In these circumstances, without making any further comments on the merits of the case and especially considering that no actual recovery was effected from the petitioner in the present case, this Court is of the opinion that further detention of the petitioner for an indefinite period is not called for. Therefore, his prayer 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.

6. Disposed off.

14.10.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

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