

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

**CRM-M-24904 of 2021
Date of Decision:-08.07.2021**

Tayyub

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sarfraj Hussain, 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 vide FIR No.317 dated 11.11.2020, under Section 20(b)(ii)(B) of NDPS Act, registered at Police Station Farrukhnagar Gurugra, District Gurugram.
2. As per case of the prosecution, one Manoj was caught red handed while in possession of 10 kilograms and 200 grams of *ganja*. Upon interrogation, he is alleged to have disclosed the name of the petitioner as the person from whom the same had been procured.
3. Learned counsel for the petitioner submits that he was never arrested at the spot and has been named on the basis of disclosure statement

of co-accused, the veracity and admissibility of which would be debatable. It has further been submitted that the co-accused Manoj, from whom the recovery was effected, has already been released on bail by this Court vide order dated 05.2.2021.

4. Opposing the petition, learned State counsel has submitted that since the petitioner has categorically been named by co-accused and also stands involved in one more case, no case for grant of bail is made out.

5. I have considered rival submissions addressed before this Court.

6. Keeping in view the fact that the petitioner has been nominated on the basis of disclosure statement, the admissibility of which would be debatable and by noticing that the main accused i.e. Manoj has already been granted regular bail, the petition merits acceptance and is hereby accepted particularly keeping in mind that the conclusion of trial is likely to consume time. 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.

July 08, 2021
Vijay Asija

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No