

**(227) IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-27655 of 2021

Date of Decision :September 20, 2021

Noshad Ali

..... Petitioner

VS

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Arjun Lakhanpal, Sr. Advocate with
Mr. Vikas Bishnoi Godara, Advocate for the petitioner.

Mr. Bhupinder Singh, Deputy Advocate General, Haryana.

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 and 29 of the NDPS Act, registered at Police Station Sadar Tohana, District Fatehabad.

(2) The petitioner has remained in detention for almost more than two and half months since 02.07.2021.

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

(4) So far as there is no tangible material to show any connection between the petitioner and the other co-accused persons regarding the allegation of supply of contraband from his side since. He was already in custody in connection with some other case in the State of Uttrakhand since the month of October, 2020, as submitted by the Ld. Counsel for the Petitioner.

(5) In the opinion of this Court, therefore, there are no sufficient grounds to detain the petitioner at this stage for an indefinite period, since no direct recovery was effected from his own possession.

(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.

20.09.2021
Anjal

(SUDIP AHLUWALIA)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No