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

**CRM-M No.28725 of 2021(O&M)
Date of Decision:28.07.2021**

**Deba Singh @ Debi
Vs
State of Haryana**

**.....Petitioner

.....Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. H..S. Dandiwal, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner in his second attempt seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.58 dated 01.04.2021 registered under Section 15 of the NDPS Act (Section 27-A of the NDPS Act added later on) at Police Station Sadar Ratia, District Fatehabad.

As per prosecution case, 7 kilo 100 grams of poppy husk was recovered from co-accused Kala Singh and the petitioner has been nominated on the basis of disclosure

statement of the co-accused. Bail has been declined to the petitioner solely on the basis of his antecedent behaviour of criminal activity.

Petitioner was involved in seven other cases. In two of the cases under Section 15 of the NDPS Act, he has been convicted but he has already undergone the sentences. In two of the cases under IPC, the petitioner has been acquitted. In three other cases i.e. two under NDPS Act and one under Section 174-A IPC, the petitioner is on bail.

Learned State counsel, however, opposed the bail on the ground that the petitioner is having past history of his involvement in number of cases and he has been nominated on the basis of disclosure statement of co-accused. Petitioner is in custody since 25.04.2021.

Having heard learned counsel for the parties, the complicity of the petitioner on the basis of disclosure statement of co-accused would remain debatable.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail without adverting to the merits of the case.

In view of above, petition is allowed. Petitioner is

ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

28.07.2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No