

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

**CRM-M-24825-2019
Date of decision: 23.09.2021**

Sumit**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Ranjan Lakhanpal, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail to the petitioner in FIR No. 0157 dated 10.03.2019, registered under Section 22 of the NDPS Act, at Police Station Rohtak City, District Rohtak, Haryana.

On 28.11.2019, while granting interim bail to the petitioner, the following order was passed:

“In this case, the petitioner (Sumit Kumar) is stated to have been arrested while driving the car in question, with 360 bottles of Wincerex (containing codeine phosphate as per the report of the FSL), stated to have been recovered from the back seat of the car, with his co-accused, who was a juvenile, sitting in the front.

Mr. Lakhanpal, learned senior counsel appearing for the petitioner, reiterates what he has been submitting all through, that with the petitioner being only a taxi driver, and with the car having been hired by the other co-accused, he therefore does not deserve to be in custody any further.

The petitioner is stated to have been in custody since March 10, 2019, with only the charge having been framed so far and there being a total of 16 prosecution witnesses, who are all police officials, and with no witness having

been examined so far.

Again without making any comment on the actual merits of the case, for or against this petitioner either, since no other criminal case is stated to have been registered against him also, and the contention raised by Mr. Lakhanpal being that he was only a taxi driver whose vehicle had been hired, he is ordered to be admitted to interim bail to the satisfaction of the trial court, till the next date of hearing in this petition.

Adjourned to 24.01.2020.”

Learned counsel for the petitioner submits that a period of more than two years has lapsed and the petitioner has not misused the concession of interim bail and is facing the trial.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position.

In view of the above, the present petition is allowed and the order dated 28.11.2019 granting interim bail to the petitioner, is hereby confirmed.

(ARVIND SINGH SANGWAN)
JUDGE

23.09.2021
Chetan Thakur

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No