

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30530-2021 (O&M)

Date of Decision:-9.8.2021

Sandeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jainainder Saini, Advocate for the petitioners.

Mr. Vishal Kashyap, DAG, Haryana,
assisted by SI Ajay Kumar.

(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.0157 dated 1.5.2021 at Police Station Hisar Civil Lines, District Hisar under Section 20 of Narcotic Drugs & Psychotropic Substances Act, 1985, wherein offence under Section 27-A of NDPS Act was added later on.
2. As per the case of prosecution a secret information was received by the police to the effect that Sanjay and Bintu alongwith co-accused Sanjeev, Sandeep (petitioner) and Rupendar were proceeding in a car bearing

registration No.HR-18B-1414 and were bringing '*ganja*' in the said vehicle. Upon receipt of said information, barricading was held and the aforesaid car was intercepted. All the five accused were apprehended at the spot. The search of car led to recovery of 2 bags containing 16.800 kilograms of '*ganja*'. However, the personal search of the petitioners did not yield any objectionable article.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, the petitioner cannot be attributed any conscious possession of the allegedly recovered contraband as the same was recovered from underneath the seat. Learned counsel for the petitioner has informed that the co-accused namely Sanjay and Bintu have already been granted bail by this Court.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and the contraband was recovered from the car in which he was travelling alongwith their co-accused, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner is not involved in any other case and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. It is not disputed that it is a case of recovery of 'non-commercial' quantity of contraband. Challan already stands presented. The petitioner has been behind bars since the last about 3 months. The petitioner is not even stated to be involved in any other case. In these circumstances, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time. The petition, as such, is accepted and 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.

9.8.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No