

In the High Court of Punjab and Haryana at Chandigarh

105+224

CRM-M-35114-2021 (O & M)
Date of Decision: December, 06, 2021

RAJESH

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Vikas Bishnoi, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.60 dated 06.03.2021, under Sections 17, 18(c) and 27 of the NDPS Act, registered at Police Station Uklana, District Hisar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused Krishan from whom 3 kgs and 340 grams of opium was allegedly recovered. No recovery has been effected from the petitioner in this case. It is alleged that a day prior to the recovery, the co-accused had made some calls to the petitioner. He, however, contends that the petitioner is known to the co-accused and they being from the adjacent village, the calls exchanged between them cannot infer that the petitioner was involved in the commission of the offence. The petitioner is in custody for over 06 months.

Learned State counsel upon instructions from ASI Pardeep Kumar states that although the challan has been filed but charges are yet to be framed.

Heard.

In view of the above, especially when no recovery has been effected from the petitioner, he is in custody for over 06 months, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

All the pending miscellaneous applications, if any, stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

December, 06, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No