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

(Through video conferencing)

**CRM-M No.38293 of 2021
Date of Decision: 22.09.2021**

ROSHAN LAL

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Mohit Sadana, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail in his second attempt under Section 439 Cr.P.C in case bearing FIR No.0386 dated 09.06.2018, registered under Section 20 of the NDPS Act at Police Station Sadar Bhadurgarh, District Jhajjar.

Earlier petition bearing CRM-M No.23633 of 2019 was got dismissed as withdrawn on 05.02.2020. The order dated 05.02.2020 was not on merits.

Subsequently, co-accused Tara Chand, who is similarly

placed has been granted benefit of regular bail vide order dated 31.08.2021 passed in CRM-M No.15922 of 2020.

The FIR was registered on the basis of secret information involving the petitioner and the aforesaid Tara Chand in supply of *charas*. A car was intercepted from which petitioner and Tara Chand were apprehended. Petitioner and Tara Chand were found sitting in the car. Petitioner was sitting on the driver seat. On search of the car, 4 kgs. 700 grams of *charas* was recovered from the place under the passenger seat.

Learned counsel for the petitioner submits that petitioner is in custody for the last more than 3 years. Co-accused Tara Chand is similarly situated co-accused, who has been granted bail by considering his clean antecedents and custody of more than three years. Out of total 15 prosecution witnesses, no witness has been examined so far.

Learned State counsel admits that the petitioner is also not involved in any other criminal case and his case is at par with the complicity of the co-accused Tara Chand, who has been granted regular bail by the High Court.

In view of aforesaid facts, keeping in view the case of the petitioner on parity with the co-accused Tara Chand 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,

This petition is allowed. Petitioner is ordered to be released on 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 opinion on merits of the case.

September 22, 2021	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No