

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

238/3

CRM-M-37938-2021

DATE OF DECISION: 15.12.2021

RAM BHAJ

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.232 dated 21.04.2021, under Section 20 of the NDPS Act, registered at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that 296 kg 'ganja patti' in a plastic bag was recovered from the truck which was driven by co-accused Shakil who was arrested at the spot. The petitioner has been arraigned as an accused on the statement of co-accused Nehri that the petitioner, who is a blacksmith, had repaired the hidden cabin in the truck. No recovery has been effected from the petitioner in the instant case. He is not involved in any other case under the NDPS Act. He is in custody for over 5 months since his arrest on 06.07.2021.

Learned State counsel, however, contends that it is alleged that the petitioner had built the hidden cabin in the canter wherein 296.73 kg 'ganja patti' had been recovered. She also states that although challan has been filed but charges are yet to be framed.

Heard.

In view of the submissions of the learned counsel for the petitioner, especially when no recovery has been effected from the petitioner, he is in custody for over 5 months, he is not involved in any other case under the NDPS Act, the 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 instant 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.

(ANUPINDER SINGH GREWAL)
JUDGE

15.12.2021

SwarnjitS

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