

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(251-2)

CRM-M-35055-2020

Date of decision: - 03.09.2021

Satpal alias Satti

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Monty Goyal, Advocate, for the petitioner.

Ms. Dimple Jain, Assistant Advocate General, Haryana.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.316 dated 10.05.2020, registered under Sections 21(C) and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Hisar, District Hisar.

Learned counsel for the petitioner argues that the petitioner has not been named in the FIR and no contraband has been recovered from him. Learned counsel for the petitioner further argues that the petitioner was only nominated on the basis of disclosure statement of co-accused, namely, Amarjeet, which is not admissible as of now.

Learned counsel for the petitioner submits that the petitioner may kindly

be extended the benefit of regular bail as he undertakes that in case the said concession is extended to him, he will not influence the trial or witnesses in any manner.

Learned State counsel submits that the petitioner was named as a mastermind by the co-accused, who was caught with the contraband as per his disclosure statement. Learned State counsel concedes that the petitioner is not the owner of the vehicle from where the contraband was recovered.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is not disputed that the petitioner has not been named in the FIR and no recovery has been done from him. Further, as the petitioner is not the owner of the vehicle from where the recovery of the contraband was done and the allegations and the disclosure statement of the co-accused are yet to be proved during the trial, no useful purpose will be served by keeping him behind the bars any further during the trial as the trial is likely to take some time to conclude.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, if not required to be detained in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner and in case of default of the above undertaking, the State/complainant will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 03, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No