

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

**CRM-M-35032-2020
Date of decision: 12.01.2021**

Karam Singh @ Ali

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.247 dated 10.07.2020, registered under Sections 20 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar, Gohana, District Sonapat.

Learned counsel for the petitioner submits that the FIR was registered on a secret information that co-accused Subhash is coming with narcotic substances like *Charas* and he can be apprehended at the spot. Thereafter, the police party apprehended said Subhash and after his identification, 01 Kg. and 720 grams of *Charas* was recovered from him.

Learned counsel for the petitioner further submits that in his disclosure statement, co-accused Subhash stated that he along with petitioner Karam Singh @ Ali has brought the said contraband from one Shiv Charan, who is the resident of Uttar Pradesh.

Learned counsel for the petitioner further submits that it is admitted case of the prosecution that the name of the petitioner was not

there in the secret information given by the informer.

Learned counsel further submits that it will be a debatable issue whether the disclosure statement made by co-accused is admissible against the petitioner.

Learned State Counsel, on the basis of affidavit filed by Addl. Supdt., of Police, however, opposes the prayer of the petitioner and submits that as per call details, all the three accused persons were found at one place before the registration of the FIR, however, it is not disputed that Shiv Charan, from whom the contraband was purchased, has died.

Learned State Counsel further submits that petitioner is involved in one more case of NDPS in case FIR No.40 dated 15.02.2020 at Police Station Israna.

In reply, learned counsel for the petitioner submits that the petitioner is on bail in said case, as that case pertains to recovery of non-commercial quantity.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that investigation is complete and conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

12.01.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No