

CRM-M-37539-2020

Date of Decision:12.02.2021

Sachin

.....Petitioner

Vs.

State of Haryana

....Respondent

CRM-M-1136-2021

Surender @ Sunder

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Yashpal Thakur, Advocate,
for the petitioner in CRM-M-37539-2020.

Mr. A.S.Barnala, Advocate,
for the petitioner in CRM-M-1136-2021

Mr. Surender Singh, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

CRM-M-37539-2020

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.163, dated 09.06.2020, having been registered at Police Station Sadar, Hansi, alleging therein the commission of offences punishable under Section 188 of the IPC (with Sections 20/29 of the NDPS Act, 1985, added later).

A reply by the DSP (Law and Order), Hansi, having been filed, learned State counsel submits therefrom that the petitioner having been named as an accused by one of those who were arrested with 112 kgs. of *ganja* (as per the case of the investigating agency), he does not deserve to be admitted to bail.

However, learned counsel for the petitioner submits that an identically placed co-accused, by the name of Ramesh Kumar, has already been admitted to bail by this court on 11.11.2020, on the ground that he was also allegedly named only in a disclosure statement made before the police.

Learned State counsel, on instructions, could not deny the factual position that the case of the petitioner would not be different otherwise from

that of the aforesaid Ramesh Kumar, though he otherwise opposes him being admitted to bail.

Keeping in view the aforesaid facts and also looking at the period of custody of the petitioner (since June, 2020) and the stage of the trial being that the prosecution witnesses are still to be examined, without making any comment on the actual merits of the case, the petition is allowed and the petitioner is ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the trial court/Duty Magistrate, concerned.

It is to be also noticed that upon query to learned State counsel, he submits that as per his instructions, there is no other criminal case registered against the petitioner.

CRM-M-1136-2021

After arguing for some time, when this court was not inclined at least at this stage to admit the petitioner to bail looking at the fact that he was apprehended at the spot with 112 kgs. *ganja* (as per the case of the prosecution), learned counsel seeks to withdraw this petition.

Dismissed as withdrawn.

A photocopy of this order be placed on the file of the other connected case.

February 12, 2021

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO