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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37678-2020 (O&M)
Date of decision-22.03.2021

Dharampal

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S. Mamli, Advocate for the petitioner.

Mr. Kunwar Sanjiv Kumar, A.A.G., Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.204 dated 10.09.2020 registered under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Sector 27-A of NDPS Act was added later) at Police Station Sadar Tohana, District Fatehabad. The petitioner is in custody since his arrest on 10.09.2020.

According to the prosecution, on 10.09.2020, co-accused Raju and Karamjit were found in possession of 19 Kilograms 500 grams of 'Ganja' within the area of Police Station Sadar, Tohana. During investigation, it was discovered that the petitioner had supplied the said contraband to his above-said co-accused.

Learned counsel for the petitioner contends that the alleged

recovery of 19 Kilograms 500 grams of '*Ganja*' was made from co-accused namely Raju and Karamjit and the petitioner was named accused on the basis of the disclosure statement of co-accused.

Learned counsel for the petitioner further submits that the petitioner is not involved in any other case of similar nature and as the investigation in the present case is complete, therefore, he prays that the petitioner be released on bail during the pendency of the trial.

Learned State counsel assisted by SI Gulab Singh has not disputed this fact that the petitioner was named as an accused subsequently and infact the recovery was made from co-accused of the petitioner. He further states that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this Court finds that the petitioner was arrested on 10.09.2020 and the trial is yet to commence as the charges have not been framed.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

22.03.2021
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No