

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

CRM-M-43087-2021

Date of Decision : 23.11.2021

Avinash Kumar @ Abhi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Parminder Walia, Advocate
for the Petitioner.

Mr. Anmol Malik, DAG, Haryana
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.54, dated 24.02.2020, registered under Sections 21, 29, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Pinjore, District Panchkula.

2. The Petitioner by now has remained in detention for nearly 4 months since 31.07.2021.

3. Admittedly no recovery was effected from the Petitioner in the present case. His name has transpired from the Disclosure Statement of co-accused namely Rohit, from whom 7.02 grams of *heroin* was allegedly recovered.

4. After completion of investigation Challan against the Petitioner

has already been submitted. Trial in the case is yet to commence.

5. In the circumstances, considering the long detention undergone by the Petitioner and the fact that no actual recovery was effected from him in the present case, at this stage he is ordered to be released on bail to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

6. Disposed off.

November 23, 2021

**(SUDIP AHLUWALIA)
JUDGE**

Dpr

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No