

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

CRM-M-39412-2020

DECIDED ON: 6th September, 2021

Sanjay Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. D.S.Virk, Advocate for petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 278 dated 16.6.2020, under Section 22-B of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Rania, District Sirsa.

Brief facts are that on 16.6.2020, police party apprehended one person named Sodhi. From his conscious possession 800 intoxicating capsules of Tramadol Hydrochloride Diclofenac Sodium Dicyclomin Hydrochloride and Chlorpheniramine Maleate Capsules 100 mg were recovered. During investigation Sodhi disclosed that the contraband recovered was purchased from Sanjay (petitioner).

Learned counsel for the petitioner submits that no recovery was made from the petitioner. Petitioner is in custody since 28.7.2020.

Investigation is complete.

Learned State counsel opposes the prayer for grant of bail and submits that the petitioner is involved in another FIR under NDPS Act wherein also the allegations are that he had supplied the contraband.

The petitioner was not apprehended from the spot. His name surfaced in disclosure statement. No recovery was made from him. Investigation is complete. Challan stands presented. Conclusion of trial is likely to take time. Bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

6th September, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>