

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

CRM-M-41102-2020

Date of decision-26.03.2021

Daljeet Singh @ Sonu

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, 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.219 dated 24.09.2020 registered under Sections 22-C, 61 and 85 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Tohana, District Fatehabad. The petitioner is in custody since his arrest on 29.09.2020.

As per the prosecution case, on 24.09.2020, when Police officials were going towards Village Tohana to Balayala in connection with patrol duty, two boys were seen coming on a motorcycle bearing No.HR-40-F-1665. On seeing the police, they tried to run away, however, they were apprehended on suspicion. Thereafter, driver and pillion rider, both disclosed their names as Jaswinder Singh and Nishan Singh, respectively. The pillion rider was having bag. Upon search, 700 intoxicant tablets (containing Tramadol Hydrochloride, Clovidol-

Learned counsel for the petitioner has argued that the alleged recovery was made from accused-Jaswinder Singh and Nishan Singh and on their disclosure statements, the petitioner was indicted as an accused. He submits that though the petitioner is involved in other case i.e. FIR No.203 dated 25.08.2020 registered under Sections 22(C), 27-A and 31 NDPS Act at Police Station Ratia, District Fatehabad, but in the said case also, he was arraigned as an accused in the same way and was granted regular bail by this Court vide order dated 09.02.2021 passed in CRM-M-4601-2020. He submits that investigation of the case is complete, therefore, the petitioner deserves the concession of regular bail.

On the contrary, learned State counsel assisted by SI Gulab Singh has opposed the prayer on the ground that the recovered contraband falls within the ambit of commercial quantity. He submits that though the recovery was made from co-accused of the petitioner, but as per the statement of said co-accused, petitioner was also involved in the crime. It is not disputed by him that in the other case, petitioner has already been released on bail. He further on instructions states that though the investigation of the case is complete, but the charges have not been framed so far. It is pointed out that the case is now fixed for 04.06.2021, before the trial Court for framing of the charges.

After hearing the rival submissions of learned counsel for the parties and considering the above background, this Court finds that the trial in the case is yet to commence and is likely to consume

considerable time to conclude, therefore, further detention may not be necessary for any useful purpose, who is presently confined in judicial custody since his arrest on 29.09.2020.

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

26.03.2021

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