

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.42430 of 2020
Date of Decision:03.03.2021

JAGMAL SINGH @KALA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. AG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case
FIR No. 51 dated 29.01.2020 registered under Sections 15, 27A and 29 of
NDPS Act, 1985 at Police Station Sadar Thanesar, District Kurukshetra.

Status report by way of affidavit of Deputy Superintendent of
Police, Ladwa, Kurukshetra, filed through e-mail, is taken on record

Learned counsel for the petitioner states that the raid was
conducted on a secret information against co-accused Rajbir Singh, who
was the driver and one cleaner namely, Happy Singh. The petitioner was not
named in the first disclosure statement, but was indicted in the present case
on the basis of the second disclosure statement suffered by the co-accused

on 31.01.2020, to the effect that the petitioner had given a sum of Rs.1.00 lakh for the purchase of the contraband. No recovery has been effected from the petitioner and the telephonic conversation between the petitioner and Rajbir was because of them being cousins. He further states that the petitioner has been in custody since 15.10.2020.

Learned State counsel states that there are five cases against the petitioner but he does not dispute the fact that the petitioner stands acquitted in two cases under the NDPS Act. He further states that challan has been filed and the case is pending for prosecution evidence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 15.10.2020. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

March 03, 2021

Jyoti-I Whether speaking/reasoned Yes/No Whether Reportable Yes/No