

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47327-2021 (O&M)
Date of decision: 18.11.2021

Sanjeev alias Kala

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Kuldeep Singh Siwach, Advocate, for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

AVNEESH JHINGAN, J. (Oral)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 504, dated 21.10.2020 under Section 22(C), 27A (Act No.61) of NDPS Act, 1985, registered at Police Station City Tohana, District Fatehabad.

The brief facts are that during routine checking, on 21.10.2020, Rakesh Kumar @ Vicky was apprehended. From his possession, 432 strips having 10 tablets each containing tramadol salt were recovered. During investigation co-accused named Ishwar Singh as seller of the recovered contraband. Ishwar Singh further named Sanjiv @ Kala (petitioner) as a supplier.

The learned counsel for the petitioner submits that no recovery was made from the petitioner. The petitioner was named in the disclosure statement. The petitioner is in custody since 27.04.2021. Investigation is complete. He further argued that the petitioner has been roped in, in this case merely due to his involvement in other cases under the NDPS Act registered in the same police station in which he was granted bail by this Court.

The learned State counsel opposes the grant of bail to the petitioner and submits that there was heavy recovery from the co-accused. He further submits that the petitioner is involved in five more FIRs, four being under the NDPS.

No recovery was made from the petitioner. His name surfaced in a disclosure statement. The petitioner is in custody since 27.04.2021 and the investigation is complete. The conclusion of the trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

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

18.11.2021
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No