

201-2

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.44207 of 2020
Date of Decision: 07.04.2021

Aman

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Anutej Singh Barnala, Advocate
for the petitioner.

Mr. Deepak Bhardwaj, D.A.G., Haryana.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed seeking regular bail in FIR No.280, dated 12.10.2020, under Section 20(c) of the NDPS Act, 1985, registered at Police Station Lakhan Majra, District Rohtak.

A secret information was received that a Canter bearing registration No.HR-39B-6978 is being used to transport Ganja. Acting on the information, naka was erected at Gohana Lakhanmajra road. On checking of the vehicle, driver Sanjay was apprehended and 360 Kgs. of Ganja was recovered. During the investigation, accused Sanjay in his disclosure statement, named the petitioner and some other persons to state that he was hired by the named persons to transport the Ganja.

Learned counsel for the petitioner submits that the petitioner was named due to political activism of his father and no recovery was made from him. It is further contended that the petitioner is in custody since 31.10.2020 and the investigation is complete.

Learned State counsel, on instructions from ASI Manjit, opposes the bail. Submission is that the heavy recovery of Ganja was made. The petitioner was named by the main co-accused stating that the part of Ganja recovered belonged to him. However, he apprises the Court that the investigation is complete and challan is ready.

The name of the petitioner surfaced in a disclosure statement. The petitioner is not involved in any other NDPS case. He is a 19 year young boy. Though, the investigation is complete but conclusion of investigation is likely to take time, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing requisite bail bonds to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

However, it is clarified that nothing stated hereinabove shall be construed as expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

7th April, 2021
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| 1. Whether speaking/ reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |