

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

CRM-M-51444-2021

Date of Decision: 15th December, 2021

Ishwar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Munish Kamboj, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana for the respondent-State.

AVNEESH JHINGAN, J.(Oral)

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 504, dated 21st October, 2020, under Sections 22(c) and 27A of NDPS Act, 1985, registered at Police Station City Tohana, District Fatehabad.

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

3. 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 4th December, 2020, investigation is complete. He further argued that the petitioner was roped

the same police station. Petitioner was granted bail by this Court in other FIRs.

4. 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.

5. No recovery was made from the petitioner. His name surfaced in a disclosure statement. The petitioner is in custody since 4th December, 2020, the investigation is complete but 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.

6. The petition is allowed.

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

(AVNEESH JHINGAN)
JUDGE

15th December, 2021

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No