

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.51326 of 2021

Date of Decision:15.12.2021

Himanshu Verma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vijay Pratap Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.175 dated 09.12.2019 registered under Sections 22, 25 and 29 of the NDPS Act, 1985 at Police Station Bareta, District Mansa.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the said FIR and is in custody since 08.01.2021. It is argued that the petitioner was not named in the FIR nor was he apprehended at the spot with any of the contrabands. It is submitted that one co-accused namely Sonu was arrested at the spot, who named one Vikas in his disclosure statement, as the supplier of the contraband. On arrest of Vikas, the petitioner has been nominated as an accused on the basis of disclosure statement. It is stated that one co-accused Sonu has already been granted bail by a Coordinate Bench of this High Court in **CRM-M No.10991 of 2021 on 31.08.2021**. It is further submitted that matter has

been investigated and challan stands presented and trial is likely to take some time to conclude, therefore, prays for grant of regular bail to the petitioner.

Learned counsel for the respondent-State would oppose grant of regular bail to the petitioner while pointing to the seriousness of allegations levelled against him, however, she does not dispute the fact that the petitioner has been nominated only on the basis of disclosure statement of co-accused and was not apprehended on the spot.

I have heard learned counsel for the parties. Keeping in view the facts that matter has been investigated; challan stands presented; co-accused has already been granted bail by a Coordinate Bench of this High Court and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars any longer. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of adequate personal/surety bonds to the satisfaction of concerned trial court/Duty Magistrate.

However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

December 15, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No