

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

CRM-M-51973 of 2021

DECIDED ON:17th December, 2021

Tarun @ Gola

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. B.D. Sharma, Advocate for petitioner.

Mr. Karan Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Today physical hearing was held but on request of learned counsel for the petitioner, the matter is taken up by way of hybrid hearing.

Tarun @ Gola is before this Court for grant of regular bail in case of FIR No. 272 dated 6.11.2020, under Sections 21 and 29 of NDPS Act, 1985, registered at Police Station Krishana Gate Thanesar District Kurukshetra.

Brief facts are that the police party acting on a secret information apprehended co-accused Manoj Kumar @ Moji on 6.11.2020 and recovery of 10.70 grams 'Heroin' was made. In his disclosure statement Manoj Kumar @ Moji named petitioner as supplier of recovered contraband.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.1.2021, no recovery was made from him and he has been roped in only due to his involvement in other NDPS cases.

Learned State counsel opposes the prayer for bail and submits that the petitioner is involved in two more cases under NDPS Act and was convicted in one of the case.

Considering the allegations against the petitioner, the fact that no recovery was made from him, he was not apprehended from the spot, investigation is complete and mere involvement of the petitioner in other cases would not be a ground to deprive him of his personal liberty, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

17th December, 2021

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes*