

CRM-M-1125-2022

Decided on: 15th March, 2022

Mehtab @ Peeru @ Mahtab

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGANPresent: Mr. Yashveer Kharb, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. The petitioner is before this Court seeking regular bail in FIR No. 63, dated 15th April, 2019, under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') (section 27-A and 29 of the Act added later on) registered at Police Station Sanoli, District Panipat.
3. The police party acting on a secret information, apprehended Tasleem and Ashif on 15th April, 2019, Twenty-one kilogram and hundred grams of *Ganja Patti* was recovered from their conscious possession. At their instance there was recovery of eleven kilogram and four hundred grams of *Ganja Patti*. Petitioner was named on the disclosure statement.
4. Learned counsel for the petitioner submits that petitioner is in custody since 19th October, 2021, no recovery was made from him. He further submits that petitioner was named on a disclosure statement and he is not involved in any other case under the Act.

5. Learned State counsel on instructions opposes the prayer for grant of regular bail and submits that heavy recovery of *Ganja Patti* was made from the co-accused. She fairly submits that challan stands presented, charges were framed and petitioner is not involved in any other case under the Act.
6. Petitioner was not apprehended from the spot, his name surfaced on a disclosure statement and no recovery was made from him, petitioner is not involved in any other case under the Act and conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.
7. The petition is allowed.
8. 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 March, 2022
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |