

CRM-M-1746-2022

**222 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-1746-2022

Decided on: 8th March, 2022

Rahul Gupta

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pradeep Chhoker, Advocate for the petitioner.
Ms. Dimple Jan, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 111, dated 20th March, 2021, under Sections 20, 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') and Section 25 of Arms Act, 1959 registered at Police Station City Rewari, District Rewari.
2. The brief fact of the case are that on 20th March, 2021, police acting upon a secret information, apprehended Rakesh along with his friend Naveen from plot situated in Daruhera Chungi. Five hundred forty grams of Ganja Patti and one country made pistol were recovered. During the investigation, co-accused named the petitioner as supplier of the recovered contraband. It was stated that two kilogram Ganja Patti was purchased from the petitioner.
3. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot, he was named in the disclosure statement

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and no recovery was made from him. He further submits that petitioner was roped in this case due to his involvement in other case under the Act in which he is on bail. He further submits that petitioner is in custody since 2nd November, 2021 and investigation is complete.

4. Learned State counsel on instructions opposes the prayer for grant of regular bail and submits that petitioner is involved in six more cases.

5. Without commenting upon the merits of the case, considering that the name of the petitioner surfaced in a disclosure statement, no recovery was made from him, investigation is complete and the recovery from the co-accused was of non-commercial quantity, 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

8th March, 2022
Parveen Sharma

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