

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

CRM-M-4595-2022

Date of decision: 12.05.2022

Mohit

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amit Choudhary, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.454 dated 22.09.2020, registered at Police Station Sonipat Sadar, District Sonipat, under Section 20 NDPS Act.

Status report dated 30.04.2022, by way of affidavit of the Deputy Superintendent of Police, Sonipat, filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that in the present case, there are as many as three accused, including the petitioner, and that recovery of 21 kg of *ganja patti* had been effected from the petitioner. Co-accused Sumit from whom recovery of 10 kg 100 gram of *ganja patti* was effected, has since been granted the concession of regular bail, vide order dated 06.08.2021 passed by a Coordinate Bench and, therefore, the petitioner may also be granted such concession on the ground of parity.

On the other hand, learned State counsel, while opposing the

grant of bail to the petitioner, submits that the petitioner is not entitled to the regular bail on account of recovery from all the three accused being commercial quantity. However, he submits that the petitioner is not involved in any other case, at least of a similar nature.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 22.09.2020. The prosecution witnesses are yet to be examined. There is no other case registered or pending against the petitioner, at least of a similar nature. Trial is unlikely to conclude any time soon. Moreover, as noticed above, the co-accused Sumit has since been released on regular bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

12.05.2022

parveen kumar

(HARNARESH SINGH GILL)**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No