

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

CRM-M-8422 of 2022

DECIDED ON: 4th March, 2022

Raj @ Rajbir

.....PETITIONER

VERSUS

The State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. B.S. Saroha, Advocate for petitioner.

Mr. Karan Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No.539 dated 27.7.2021, under Section 20 of NDPS Act, 1985 and under Section 42 of Prison Act, 1984 and later added Sections 7,8 and 13 of the Prevention of Corruption Act, 1988 and under Section 120-B IPC, 1860, registered at Police Station City Narnaul, District Mehendergarh, Haryana.

As per the allegations on 27.7.2021, on complaint presented by Sarwar Singh Deputy Superintendent Jail (Security), District Jail Narnaul, on search Mahender Singh Warder in Narnaul jail was apprehended and 7 grams of *Sulfa* was recovered from his conscious possession. The petitioner was named in the supplementary statement of Mahender as also of the co-accused Ravi Saini. The role attributed to the petitioner is that he handed over the *Sulfa* and cash to the Warder to be delivered to his bother who was confined in jail.

Learned counsel for the petitioner submits that the petitioner is in custody since 13.1.2022. No recovery was made from the petitioner. He was named in the disclosure statement. He has no criminal antecedents. He further relies upon the fact that two co-accused were granted bail by this Court.

Learned State counsel opposes the prayer for bail.

Without commenting upon the merits of the case, considering that the name of the petitioner surfaced in disclosure statement, no recovery was made from him, recovery from the co-accused was of non-commercial quantity, two co-accused were granted bail by this Court and investigation is complete, 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.

4th March, 2022

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>