

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

CRM-M-9215 of 2022

DECIDED ON: 9th March, 2022

Dharmender

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Pradeep Chhoker, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 336 dated 7.11.2021, under Sections 20 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Tauru, District Nuh.

The brief facts are that the police acting upon a secret information on 7.11.2021, checked truck bearing No.HR-74-A-3286. Azam Mohim were apprehended. 212.8 kg of *Ganja Patti* was recovered from the truck. Petitioner (Dharmender) was named by the co-accused, they stated that petitioner gave Rs.30,000/- for purchase of *Ganja*. The contraband was being brought from Visakhapatnam at the instance of Jumma and petitioner. As a result of disclosure, petitioner was nominated and arrested on 14.11.2021.

Learned counsel for the petitioner submits that it is a case of false implication, no recovery was made from the petitioner, he has no criminal antecedents, investigation is complete and challan stands presented.

Learned State counsel on instructions opposes the prayer for bail and submits that co-accused specifically named the petitioner that the part recovered *Ganja Patti* belonged to the petitioner. She on instructions fairly submits that the petitioner is not involved in any other case.

Without commenting upon the merits of the case; considering that the name of the petitioner surfaced in disclosure statement; no recovery was made; the petitioner has no criminal antecedents; investigation is complete and conclusion of trial is likely to take time, 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.

9th March, 2022

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*