

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

CRM-M-11463-2022

Date of decision: 26.08.2022

Sonu

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jagjit Singh Gill, Advocate,
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.53 dated 29.01.2022, registered under Section 20 of the NDPS Act, at Police Station City Sirsa, District Sirsa.

Status report dated 16.05.2022, by way of affidavit of the Deputy Superintendent of Police, Sirsa, filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that on the basis of a secret information, a *naka* was laid and Vinod Kumar @ Bodi and Rakesh Kumar @ Gandhi, were arrested at the spot along with 40 kg. *ganja patti*, that the petitioner has been indicted in the present case on the disclosure statement of co-accused, namely, Vinod Kumar @ Bodi, who was arrested at the spot and from whom the alleged recovery had been effected and that no recovery was effected from the petitioner. He further submits that the petitioner has been in custody since 05.02.2022 and that only allegation against the petitioner is that at one point of time, his canter had been hired by the co-accused for transporting *ganja patti*.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner was involved in the business of transporting narcotic substance to earn more profits.

I have heard the learned counsel for the parties.

The petitioner has been indicted in the present case on the disclosure statement of the co-accused. No contraband was recovered from the petitioner. He has been in custody since 05.02.2022. As many as 26 prosecution witnesses are yet to be examined. There is no other case registered or pending against the petitioner. Trial of the case would take time to conclude. 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.

26.08.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No