

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

Criminal Misc. No.M-16850 of 2022(O&M)

Date of Decision: October 28, 2022

Sanjeev Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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

Mr.Aman Bahri, Addl.AG, Haryana.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.525 dated 31.10.2020 under Section 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station City Fatehabad, District Fatehabad.

The allegations against the petitioner are that on 31.10.2020, the petitioner while driving his Activa Scooty was intercepted by the Police. From the polythene bag lying near the feet of the petitioner on the Scooty, 600 NRX Tramadol Hydrochloride, Diclofenac Sodium, Dicyclomine Hydrochloride and Chlorpheniramine Maleate Capsules PARVORIN-SPAS RIDLEY weighing 500 grams and 2400 Alprazolam Tablets IP XL-PAM 0.5 weighing 528 grams were recovered.

Mr.Choudhary, Ld. counsel for the petitioner has argued that the petitioner is a registered Pharmacist and has falsely been involved in the case. He states that the petitioner has been behind bars for the last about two

years i.e. since 31.10.2020. The trial has not commenced. The case stands adjourned to 07.11.2022 for consideration on framing of charge before the Trial Court. Even after framing of charge, the trial of the case is likely to take time as the prosecution has cited many witnesses. There is no other case against the petitioner.

Mr.Choudhary relies on the decisions of Hon'ble the Supreme Court in **Md. Raja and another Vs. The State of West Bengal**, Criminal Appeal No.1293 of 2022 (arising out of SLP (Crl.) No. 3133/2022, decided on 22.8.2022 and **Amit Singh Moni Vs. State of Himachal Pradesh**, Criminal Appeal No.669 of 2020 (arising out of SLP (Criminal) No. 3813 of 2020, decided on 12.10.2020) where bail has been granted taking into account the long custody of the petitioners.

Mr.Bahri, Ld. Additional Advocate General, Haryana does not dispute the stage of the trial, wherein, even charges have not yet been framed against the petitioner. He also does not dispute that there is no other case against the petitioner.

In view of the above, without expressing any opinion on the merits of the case, this petition is allowed. The petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

October 28, 2022

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No