

CRM-M-18586-2021

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

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Date of decision: 26.04.2022

Rahul

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bhavdeep Singh Mamli, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.31 dated 22.01.2019, registered at Police Station Bhuna, District Fatehabad, under Section 21(b) NDPS Act, 1985.

Learned counsel for the petitioner contends that the alleged recovery of 20 gram heroin was effected from the co-accused; that the petitioner had been appearing before the trial Court as and when required; that on 29.10.2019, the petitioner could not appear before the trial Court following which his bail had been cancelled; that the petitioner was arrested on 06.04.2021; that the absence of the petitioner was not intentional and rather it was due to his ill-health.

Learned counsel for the petitioner further contends that vide order dated 21.05.2021, the petitioner was released on interim bail, subject to his furnishing bail/surety bonds to the satisfaction of the Chief Judicial

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Magistrate/Duty Magistrate. He further contends that the petitioner is now regularly appearing before the trial Court.

On the other hand, learned State counsel opposes the present petition.

I have heard the learned counsel for the parties.

The petitioner was released on interim bail, vide order dated 21.05.2021 passed by the Coordinate Bench. The petitioner is now regularly appearing before the trial Court. No useful purpose would be served by sending the petitioner to custody.

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 order dated 21.05.2021, granting interim bail to the petitioner, is made absolute, subject to his furnishing fresh bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

26.04.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No