

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

116

CRM-M-25043-2022 (O&M)

Date of Decision: 11.07.2022

UCHENNA JOSHUA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. KL Saini, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary Addl. AG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.106 dated 11.04.2021, registered under Sections 21, 27-A and 29 of the NDPS Act and Section 14-A of the Foreigner Act, at Police Station Sadar Safidon, District Jind.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner has been indicted in the present case on the basis of the disclosure statements of co-accused, namely, Vikas @ Bindra and Pankaj, from whom alleged recovery was effected, which is a non-commercial quantity and that the aforesaid co-accused have already been granted the concession of bail by the Coordinate Benches of this Court. He further submits that the petitioner has been in custody since 13.04.2021.

Per contra, while opposing the prayer for grant of regular

bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.04.2021. The petitioner was indicted on the basis of the disclosure statement of the co-accused, who have already been enlarged on bail. Recovery effected from the co-accused was non-commercial quantity. Prosecution evidence is yet to conclude. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

11.07.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*