

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

209

CRM-M-31569 of 2021 (O&M)

DECIDED ON: 21st April, 2022

Ravi Dutt alias Raman

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Sumeet Puri, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This petition is filed seeking regular bail in case of FIR No.3 dated 4.1.2021, under Sections 22-C, 27-A, 29, 61 of Narcotic Drugs and Psychotropic Substances Act, 1985, (for short 'the Act') registered at Police Station Sadar Tohana, District Fatehabad.

As per the case set up, on 4.1.2021 police party apprehended Ajay Kumar alias Hoshiara while he was riding motor cycle bearing registration No.HR-23-J-0876 and 700 strips of Tramadol Hydrochloride tablets were recovered from him. The petitioner was named in a disclosure statement as seller of the recovered contraband. The petitioner after arrest, named Jora @ Jori stating that the recovered contraband was purchased from him. Jora was arrested and he confessed his involvement in supply of Tablets. Apart from the disclosure statement, reliance of the prosecution is on the call details between the petitioner and Jora.

Learned counsel for the petitioner submits that the petitioner was named in a disclosure statement, no recovery was made, he was falsely implicated, the petitioner is in custody since 5.6.2021 and investigation is complete.

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Learned State counsel opposes the prayer for bail and submits that apart from the disclosure statement there are call details between the petitioner and Jora who has supplied the recovered tablets. She further submits that recovery from co-accused was of heavy quantity.

Petitioner's name surfaced in disclosure statement. No recovery was made from the petitioner. Evidentiary value of the call detail between the petitioner and Jora as well as of disclosure statement would be subject matter of trial. The petitioner is not involved in any other case under the Act, albeit 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.

21st April, 2022

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>