

208 (Two cases)

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

Date of Decision: 17.05.2022

(1)

CRM-M-33689-2021

VIRENDER @ LADI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

AND

(2)

CRM-M-39530-2021

GURPREET SINGH @ GOPI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Dinesh Kumar, Advocate and
Mr. Manish Kumar Singla, Advocate
for the petitioner in CRM-M-33689-2021.

Mr. D.S. Virk, Advocate
for petitioner in CRM-M-39530-2021.

Mr. Ashish Yadav, Addl. A.G., Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Both the petitions bearing Nos.CRM-M-33689-2021 titled 'Virender @ Ladi Vs. State of Haryana' and CRM-M-39530-2021 titled 'Gupreet @ Gopi Vs. State of Haryana' are being decided by a common order as the point in issue involved is same and the petitioners are seeking concession of regular bail in case bearing FIR No.66 dated 24.03.2021 under Sections 21-C and 29 of the Narcotic Drugs and Psychotropic

Substances Act, 1985 registered at Police Station Rajound, District Kaithal.

The learned counsel for the petitioners *inter alia* contend that the petitioners were granted the concession of interim bail by this Court vide order dated 23.12.2021 and that after being extended the concession of interim bail, they have not misused the same. It is further argued that various points of discrepancies including the possibility of the petitioners not being available at the time and place of occurrence, as suggested by the prosecution, were noticed. After placing reliance on the concession of interim bail granted to co-accused Chain Singh vide order dated 27.09.2021 passed in CRM-M-26385 of 2021, learned counsel for the petitioners further contend that an affidavit in this regard was filed by the Superintendent of Police, Kaithal, wherein it has been stated that the location of the mobile phones of the persons (accused in the case) may possibly be at some other place.

Be that as it may, without entering into the said area of dispute and without expression of opinion on the probative value of the evidence so collected as per the link evidence/circumstantial evidence or any other material relied upon by prosecution to establish its case and taking into consideration the fact that the investigation in the present case is already complete and final report has also been filed and no prosecution evidence has been recorded so far and only the charges have been framed, and that the petitioners have not misused the concession of interim bail granted by this Court vide order dated 23.12.2021, the said order granting interim protection to the petitioners is hereby confirmed.

Both petitions stand allowed accordingly.

(VINOD S. BHARDWAJ)
JUDGE

17.05.2022
rajender

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