

**216-B**

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

**Date of decision : 09.05.2022**

**1. CRM-M-35487-2020**

**Ashok Kumar**

**....Petitioner**

**Vs.**

**State of Haryana**

**...Respondent**

**2. CRM-M-5222-2021**

**Satish Kumar**

**....Petitioner**

**Vs.**

**State of Haryana**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Vikas Kumar, Advocate for the petitioners.

Mr. Bhupender Singh, DAG, Haryana.

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**MANOJ BAJAJ, J.**

Petitioners have filed these separate petitions under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.217 dated 13.06.2020 under Sections 21-C, 27-A and 29 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Fatehabad, District Fatehabad, who were arrested on 14.08.2020 and 17.11.2020 respectively.

As per the prosecution, when the police party was on patrol duty, one person, namely, Suresh Kumar was seen coming on motor-cycle and upon his search, 407 grams of heroin was recovered from him and the above case FIR was registered, against him.

Learned counsel for the petitioners has argued that the alleged contraband was recovered from accused-Suresh and subsequently on his disclosure statement, petitioners were implicated as co-accused and the said

evidence is comparatively weak in nature. According to Mr. Vikas Kumar, learned counsel for the petitioners, this Court vide orders dated 15.01.2021 and 17.02.2021 had granted interim regular bail to these petitioners and the said concession has not been misused by them, therefore, the petitioners be released on regular bail.

On the other hand, learned State counsel assisted by SI Raj Kumar while opposing the prayer does not dispute this fact that indeed the recovery was made from their co-accused and subsequently the petitioners were implicated in this case on the basis of disclosure statement. He on instructions further states that the case is now fixed for 10.05.2022 for framing of charges before the trial Court.

Considering the above background, custody of the petitioners and the fact that the investigation is complete, the prayer made in these petitions are accepted, as the trial is likely to take considerable time to conclude. Resultantly, the petitions are allowed and petitioners prayer for grant of regular bail is accepted. It is further ordered that the petitioners shall continue to remain on bail bonds and surety bonds already furnished by them before the trial Court.

09.05.2022

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(MANOJ BAJAJ)  
JUDGE

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |