

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

CRM-M-40962-2021

Date of Decision: 10th February, 2022

Subhash @ Shubhash Chander

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manvinder Sidhu, Advocate,
for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition, under Section 439 Cr.P.C., has been filed seeking regular bail in FIR No. 104, dated 25th May, 2020, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Ding, District Sirsa.
3. Brief facts of the case are that three accused persons, namely, Gurmel Singh @ Gela, Nishan Singh @ Rinku and Charanjeet Singh were apprehended while travelling in a car. 400 grams of Heroin was recovered from the car. The petitioner was named by the co-accused and the role attributed is that he contributed the money for buying the contraband.
4. Learned counsel for the petitioner submits that the petitioner is in custody since 26th July, 2021; investigation is complete; and that the petitioner was named in a disclosure statement.

5. Learned State counsel opposes the prayer and submits that as per the disclosure statement, the petitioner contributed the money for purchase of contraband.

6. Considering the custody period; investigation is complete; no recovery was made from the petitioner; his name surfaced in a disclosure statement; and conclusion of trial is likely to take time, the petitioner is granted bail, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

10th February, 2022

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Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**