

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

CRM-M-42776-2021 (O&M)

Date of decision: 31.05.2022

Sajid @ Sonu @ Bhura

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

CRM-20490-2022

Application is allowed as prayed for. Annexure A-1 is taken on record.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 209 dated 22.07.2021, registered under Sections 20(b)(ii) C and 29 of the NDPS Act and Section 201 IPC, at Police Station Rajaund, District Kaithal.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR, he was indicted on the disclosure statement of co-accused Sonu; that the petitioner has nothing to do with the present case and the co-accused; that the petitioner has been in custody since 03.09.2021; that the alleged recovery of 1 kg. 200 gram of *Charas* has already been effected from said co-accused Sonu and there is no other case under NDPS Act

against the petitioner.

Reply dated 06.01.2022 along with its Annexures, filed on behalf of the respondent-State is already on record.

Learned State counsel, while vehemently opposing the prayer for bail submits that there is specific allegation against the petitioner that he has supplied *Charas* to co-accused Sonu. However, he does not dispute the custody period of the petitioner and the fact that the petitioner has been involved in the present case on the disclosure statement of co-accused Sonu. He submits that charges have been famed but the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 03.09.2021. The recovery has already been effected from the co-accused. The petitioner has been involved on the disclosure statement of the co-accused. The prosecution witnesses are yet to be examined. The conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

31.05.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No