

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

**CRM-M No.45361 of 2021
Date of Decision: 24.01.2022**

Ravi Saini

..... Petitioner

Versus

State of Haryana

..... Respondent

(Heard through video conferencing)

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Sandeep Kumar Yadav, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana
for the respondent-State.

PANKAJ JAIN J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.539, dated 27.07.2021, registered under Section 20 of NDPS Act No.61 of 1985 and Section 42 of Prison Act, 1894 (later on added Sections 7/8/13 of Prevention of Corruption Act, 1988 and Section 120-B of IPC), at Police Station City Narnaul, District Mohindergarh.

As per the allegations in the FIR, Sarwar Singh Deputy Superintendent Jail (Security), District Jail Narnaul presented complaint stating therein that on 27.07.2021 Mahender Singh Belt No.2288 Warder was on night duty for internal patrolling of Barrack No.1,2 and 3 and langar (community kitchen). In the search place (deodi), search of Mahender Singh was conducted by Manohar Belt No.2652, Warder in presence of Sh. Naresh Kumar, Assistant Superintendent of District Jail.

During search Sulfa type drug (contraband drug) was found beneath the Belt, inside shoe and trouser of Mahender, which on measuring found total 07 gms. It was requested that legal action be taken against accused. The recovered contraband was sent to R.F.S.L. Sunaria (Rohtak).

Learned counsel for the petitioner contends that in fact the petitioner has been named by accused Mahender Singh that too in the second disclosure statement made before the police authorities and no recovery has been effected from him.

Learned counsel for the State has not controverted the said facts.

Keeping in view the aforesaid facts that the petitioner has been named by accused Mahender Singh in disclosure and no recovery has been effected from him, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

Nothing observed herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

24.01.2022

rittu

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