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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.45365 of 2021
Date of Decision: 24.01.2022

Mahender

..... Petitioner

Versus

State of Haryana

..... Respondent

(Heard through video conferencing)

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Aditya Sanghi, 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 120-B of IPC, Sections 20/61/85 of NDPS Act, 1985 and Sections 7/8/13 of Prevention of Corruption Act, 1988 and Section 42 of Prisons Act, 1894, at Police Station City Narnaul, District Mahendergarh, Haryana.

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 petitioner, which on measuring found total 07 gms. It was requested that legal action be taken against accused. Petitioner and co-accused Ravi were arrested. The recovered contraband was sent to R.F.S.L. Sunaria (Rohtak).

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further submits that the investigation has been completed and challan has also been filed. No recovery is to be effected from the petitioner and no custodial interrogation of the petitioner is required.

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

Keeping in view the aforesaid facts that the investigation is complete, challan has been presented and the recovery effected is small quantity, 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

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