

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

**CRM-M-49461-2022  
Date of decision : 02.12.2022**

**Kamal Preet**

**..... Petitioner**

**versus**

**State of Haryana**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Manoj K. Sharma, Advocate  
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

\*\*\*\*

**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.387 dated 23.07.2022, registered for offence punishable under Section 21(b) of NDPS Act (Section 27A of NDPS Act added later on) at Police Station City Fetehabad, District Fatehabad.

2. Counsel for the petitioner submits that the petitioner was not nominated in the FIR and no recovery has been made from him. However, he was nominated on the basis of disclosure statement suffered by co-accused Chhinder Singh who was further nominated on the basis of disclosure statement made by Jagdeep Singh @ Jagga from whom recovery of 52.40 gms of heroin was effected.

3. Counsel further submits that the petitioner is in custody since 02.09.2022. Investigation is complete. Challan stands presented. He further relies upon order dated 28.09.2022, whereby Jagdeep Singh @ Jagga was admitted to bail in CRM-M-44148-2022 (Annexure P-2).

4. Mr. Ambavta appearing for the State does not dispute the aforesaid factual assertion made by counsel for the petitioner and also admits that the petitioner is first time offender and there is no other case pending against him.

5. Keeping in view the custody already suffered by the petitioner and the fact that the investigation stand concluded and the co-accused namely Jagdeep Singh @ Jagga from whom recovery was made also stand admitted to bail, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

**(PANKAJ JAIN)**  
**JUDGE**

**02.12.2022**

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No