

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212A

CRM-M-11624-2023

Date of Decision.:13.04.2023

Santosh Pradhan

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Neeru Bansal, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.148 dated 30.03.2022 registered under Sections 20(B)(II) C, 27(a), 61-85 of Narcotics Drugs and Psychotropic Substances Act, 1985 registered at Police Station Rai, District Sonapat in which petitioner is stated to be in custody since 06.04.2022.

Allegations as per the FIR are that 5 quintal 35 kg of ganja in 18 plastic bags were recovered on 30.03.2022 from Bal Kishan @ Bala and Ramphal. On the date of recovery, Ramphal made disclosure statement but did not reveal name of any person. Later on, he made supplementary statement on 03.04.2022 (Annexure P-3) revealing that he and co-accused Bal Kishan @ Bala had procured the contraband from Sundar and Tugal. He also disclosed that he had seen the house of Santosh Pradhan (petitioner) to whom he had given ₹9,00,000/- for purchasing ganja.

It is contended by learned counsel for the petitioner that petitioner was not apprehended from the spot; that his name was not disclosed even by the co-accused Ramphal or Bal Kishan @ Bala in their

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initial statement and that he has been nominated only in the supplementary statement. No recovery has been effected from the petitioner.

Attention is also drawn towards similarly placed co-accused Dalip who had already been granted bail by this Court on 08.02.2023 in CRM-M-5635-2023.

Notice of motion.

Mr. Randhir Singh, Addl. AG, Haryana, accepts notice on behalf of respondent-State.

It is conceded by learned State counsel that no recovery was effected from the petitioner and his name emerged in the disclosure statement of co-accused Ramphal.

Petitioner is in custody for the last approximately 1 year. Trial is likely to take long time to conclude.

Having regard to the aforesaid facts and circumstances but without commenting anything further on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

April 13, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No