

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216) CRM-M-12055-2023 (O&M)
Date of Decision : July 20, 2023

Rajesh Saw .. Petitioner

Versus

State of Haryana .. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Tejinder Pal Singh, Advocate, for the petitioner.

Mr. Surender Singh, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.415 dated 08.10.2022 registered under Sections 18 (b) and 29 of the NDPS Act, 1985 at Police Station Cheeka, District Kaithal.

2. Learned counsel for the petitioner argues that no recovery of any contraband has been effected from the petitioner and the petitioner has been involved in the present case on the basis of the disclosure statement of co-accused Deepak Garg. Learned counsel for the petitioner submits that apart from the said disclosure statement, no material has come on record to connect the petitioner with the allegations alleged in the FIR, hence, as the trial is likely to take some time before it concludes, the petitioner may kindly be extended the benefit of regular bail especially in view of the fact

that there is no other case being faced by the petitioner.

3. Learned State counsel, on the instructions from SI Krishan, concedes the factum that no recovery of contraband has been effected from the petitioner and the petitioner has only been roped in the present case on the basis of the disclosure statement of co-accused Deepak Garg as well as the factum that the petitioner is not facing any other case.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Keeping in view the fact that no contraband has been recovered from the petitioner and the petitioner has been roped in the present case on the basis of the disclosure statement of co-accused Deepak Garg and there is no other case pending against the petitioner coupled with the fact that the trial is likely to take some time before it concludes as out of total 29 cited witnesses, no one has been examined so far, the petitioner has made out a case for the grant of regular bail.

6. Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

7. In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

8. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

CRM-17167-2023

This is an application for interim bail to the applicant-

petitioner.

As the regular bail has been granted to the petitioner, the present application stands infructuous.

July 20, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No