

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
220

CRM-M-16942-2023

Date of Decision: 18.04.2023

Juber

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Vinay Kumar Pandey, Advocate for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 17.04.2023 filed by learned counsel for the State is taken on record.

The petitioner has filed this petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 291 dated 06.08.2021 registered under Sections 20(B)(ii)(C) of NDPS Act, Police Station City Sohna, District Gurugram.

According to the prosecution story, on 06.08.2021, the petitioner along with his co-accused-Anil, was apprehended by the police for carrying 30 Kgs. of Ganja with them.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. No recovery

has been effected from the petitioner. The petitioner is not involved in any other case under the NDPS Act. Petitioner is in custody since 06.08.2021. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Co-accused of the petitioner, namely, Anil, has already been granted the concession of regular bail by this Court vide order dated 20.03.2023 (Annexure P-5). Thus, it is prayed that treating the case of the petitioner on the same parity, he may also be granted the concession of regular bail.

On the other hand learned State counsel has opposed the present petition. However, he fairly conceded the fact that petitioner is not involved in any other case under the NDPS Act.

Keeping in view the facts and circumstances of the case, treating the case of the petitioner on the same parity as that of his co-accused, namely Anil, who had already been enlarged on bail by this Court and also the fact that conclusion of trial would take sufficient long time, but without commenting anything on merits of the case, the present petition is allowed.

Petitioner-Juber, is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

18.04.2023*rishu***(ASHOK KUMAR VERMA)
JUDGE****Whether speaking/reasoned****Yes/No****Whether Reportable****Yes/No**