

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CRM-M-21855-2023 (O&M)  
Date of decision: 27.07.2023

PARVEEN @ BHURA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Ashwani Nagra, Advocate for  
Mr. Nirmal Singh, Advocate for the petitioner.

Ms. Ankita Ahuja, AAG Haryana.

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**HARNARESH SINGH GILL, J. (ORAL)**

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.14 dated 09.01.2022, registered under Section 15 (Section 29 added later on) of the NDPS Act, at Police Station Ladwa, District Kurukshetra.

Reply by way of affidavit dated 25.07.2023 of the Deputy Superintendent of Police, Ladwa, Kurukshetra, submitted by the learned State counsel in the Court, is taken on record. Copy given to the learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the recovery of 10 killo grams of poppy-straw effected from the petitioner falls under the non-commercial quantity; that the petitioner has been in custody since 09.01.2022; that none

out of 19 prosecution witnesses has been examined so far; that as far as other cases under the IPC/Arms Act against the petitioner are concerned, in nine cases he has been convicted and already undergone the sentence, in five cases he is under-trial and is on bail and in four cases he stands acquitted and that co-accused Avtar Singh and Anwar Ali are on bail.

He further submits that in case under the NDPS Act, the petitioner was involved on disclosure statement of co-accused and no contraband, only Rs. 500/- was recovered from him.

Learned State counsel, while vehemently opposing the prayer for bail, submits that though the recovered contraband falls under the non-commercial quantity yet the petitioner is involved in other cases also. However, she does not dispute the custody period of the petitioner and the fact that two co-accused are on bail. She submits that material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.01.2022. The recovery was effected from falls under the non-commercial quantity. As far as other cases under the IPC/Arms Act against the petitioner are concerned, in nine cases he has been convicted and already undergone the sentence, in five cases he is under-trial and is on bail and in four cases he stands acquitted and that co-accused Avtar Singh and Anwar Ali are on bail. In another case under the NDPS Act, no contraband was recovered from the petitioner. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)  
JUDGE

27.07.2023  
Mangal Singh

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|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |