

**2023:PHHC: 064171**

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

**CRM-M-21438-2023 (O&M)**

**Date of Decision: 04.05.2023**

**PARDEEP KUMAR**

**... PETITIONER**

**VS.**

**STATE OF HARYANA**

**.. RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present : Mr. Saurabh Dalal, Advocate, for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

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**VIVEK PURI, J.(ORAL)**

1. The petitioner is seeking regular bail in the case bearing FIR No. 36 dated 03.02.2023 under Sections 21 and 29 of the NDPS Act registered at Police Station Sector 5, Panchkula.

2. Custody certificate has been placed on record.

3. Precisely, the case has been registered in pursuance of recovery of 24 gms. 65 mg and 21 grams. 61 mg of heroin from co-accused, namely, Gulab and Sandeep, respectively.

4. Learned counsel for the petitioner contends that no recovery has been effected in the instant case from the petitioner and he is being sought to be implicated on the basis of disclosure statement of co-accused. Although, the petitioner is involved in five other cases but he is on bail in all the cases. The petitioner is in custody for a period of 01 month and 23 days. The co-accused, from whom the recovery has been effected, have been granted regular bail by the learned trial Court. Investigation of the case is complete and challan has been presented.

5. Learned State counsel has opposed the bail application on the score that the petitioner is involved in five other cases.

6. Be that as it may, the petitioner is stated to be on bail in five other cases that have been registered against him. Moreover, in the instant case, no recovery has been effected from the petitioner and the co-accused, from whom the recovery has been effected, have been released on bail. Furthermore, the recovery from the co-accused falls in the category of less than commercial quantity. Investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

7. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

**04.05.2023**  
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**(VIVEK PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No