

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22729-2023
DECIDED ON: 11th MAY, 2023

KISHAN KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Sanya Kaushal, Advocate for
Mr. Davneet Sangwan, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 261, dated 26.11.2022, under Section 22-C and 29 of NDPS Act, 1985, registered at Police Station Sadhaura, District Yamuna Nagar.

2. Learned counsel for the petitioner contends that the main accused Deep Chand has suffered a disclosure statement naming the co-accused Manish and further on the basis of disclosure statement of Manish, the petitioner has been nominated as an accused in the present case. He further contends that the investigation in the present case is complete and challan stands presented.

3. On the other hand, learned State counsel has produced the custody certificate, which is taken on record. According to which, the

petitioner has suffered incarceration for a period of 5 months and 13 days, which further depicts that he is not involved in any other case of any nature whatsoever.

4. Having heard learned counsel for the parties.

5. Considering the afore-said facts and circumstances added with the fact that the petitioner is not involved in any other case, which shows that he is carrying neat and clean antecedents and even in the instant case, no recovery has been effected from the possession of the petitioner, out of 14 witnesses none has been examined during trial so far indicates that the conclusion of trial shall take long time, this Court is of the firm view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

6.. Hence, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

11th MAY, 2023

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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>