

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

\*\*\*\*

213

CRM-M-23405-2023

Date of Decision.:15.05.2023

Rajesh

.....Petitioner

Vs.

State of Haryana

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- Ms. Himani Anand, Advocate  
for the petitioner.

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**DEEPAK GUPTA, J. (ORAL)**

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.580 dated 30.10.2020 registered under Sections 15, 20 & 29 of NDPS Act (Section 27-A of NDPS Act was added later on) registered at Police Station City Sadar, Thanesar, District Kurukshetra.

As per the prosecution allegations, on the basis of secret information received by the police, 10 quintals 37 kilograms of poppy husk and 34 kilograms of ganja was recovered from the possession of co-accused Roshan Lal, Sandeep Kumar and Firoz Khan.

Learned counsel contends that petitioner is not named in the FIR nor any recovery has been effected from him. In fact petitioner had made a complaint against the police officials on 29.10.2020 (Annexure P-6) regarding illegal detention of his father Roshan Lal in another case and it is

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because of that complaint, on the very next date i.e. on 30.10.2020 this FIR was lodged. Apart from this, the name of the petitioner has allegedly surfaced in the second disclosure statement of the co-accused.

Notice of motion.

Mr. Randhir Singh, Addl. AG, Haryana, accepts notice on behalf of respondent-State.

It is conceded by learned State counsel that petitioner is not involved in any other case; no recovery was effected from him and his name has been disclosed during second disclosure statement of the co-accused.

Having regard to the factual position as above but without commenting anything on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

May 15, 2023  
Neetika Tuteja

(DEEPAK GUPTA)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |