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2023:PHHC:075486

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

**CRM-M-25272-2023
DECIDED ON: 24th MAY, 2023**

KULDEEP SINGH**.....PETITIONER****VERSUS****STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present: Mr. Gourav Jain, 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 case FIR No. 58, dated 25.03.2023, under Section 22-B of NDPS Act, 1985 (Section 27-A added later on) registered at Police Station Sadar Tohana, District Fatehabad.

2. Learned counsel for the petitioner has contended that the petitioner has been nominated in the present case as an accused on the basis of disclosure statement of Sarvjit Singh from whom 20 tablets of Buprenorphine, which is of medium quantity. He further contends that even the drug money of Rs.1000/- has also been shown recovered from the co-accused of the petitioner. The petitioner was arrested on 26.03.2023.

3. Custody certificate filed by learned State counsel is taken on record. According to which the petitioner has suffered incarceration for a period of one month as of now. A perusal of certificate further reveals that the petitioner is not

involved in any other case of any nature whatsoever, meaning thereby, he is a man of clean antecedents.

4. Considering the fact that in the present case challan stands presented on 22.05.2023 and no prosecution witnesses have been examined till today, which shows that the conclusion of trial shall take sufficient long time added with the fact that the contraband whatsoever has been recovered from the possession of the petitioner, who is having clean antecedents, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period. The petitioner is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

5. The present petition is allowed in view of afore-said terms.

6. However, it is made clear that any observation made hereinabove, shall not be construed as an expression of opinion on the merits of the case.

24th MAY, 2023
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No