

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

CRM-M-30363-2023
Date of Decision:05.07.2023

Pardeep Dahiya ...Petitioner

vs.

State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice N.S. Shekhawat

Present : Ms. Aakriti Mittal, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.405, dated 05.04.2022 registered under Sections 17 (c) /29/27(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar, Hisar, District Hisar (Annexure P-2) (Section 29/27-A of Narcotic Drugs and Psychotropic Substances Act No.61 of 1985 were added during investigation).

Learned counsel for the petitioner submits that in the present case, on 05.04.2022, Ghevar Ram and Rakesh, co-accused were arrested by the police on the basis of secret information and 8.250 Kgs of opium was recovered from the vehicle, in which both of them were travelling. Later on, the petitioner was implicated in the present case on the basis of the statement made by Ghevar Ram before the police that the contraband, which was recovered from both of them, was to be delivered to five different persons including the present petitioner. The petitioner was arrested in the present case on 21.01.2023.

Learned counsel for the petitioner further contends that except the disclosure

statement made by co-accused Ghewar Ram and Rakesh, there is no other evidence against the present petitioner and no contraband was recovered from his possession as well. No other crime was ever registered against the present petitioner and the investigation is complete in all respects. Learned counsel for the petitioner has further relied upon the order dated 02.05.2023 passed by this Court in CRM-M-26118 of 2022 (Annexure P-3) and submits that he is similarly placed with co-accused and is entitled for grant of bail. She further contends that the conclusion of the trial will take long time as the same is at the initial stage.

On the other hand, learned State counsel has opposed the prayer made by the present petitioner, however, she could not dispute the factual submissions made above.

I have heard the learned counsel for the parties and perused the record.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

05.07.2023
hemlata

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