

CRM-M-31825-2023

2023:PHHC:086246

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

(225)

CRM-M-31825-2023

Date of Decision : July 11, 2023

Vinod Kumar Yadav

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.167 dated 18.04.2023 registered under Section 22/61/85 of the NDPS Act, 1985 at Police Station Central Faridabad, District Faridabad.

2. As per the averments made in the petition, the petitioner alleges that he has wrongly been involved in the present FIR by stating that 10.5 kgs of 'ganja' has been recovered from him. It is averred in the petition that the investigation is already over and the challan has already been presented on 09.05.2023 and as the trial is likely to take some time before it concludes, he be granted the concession of regular bail.

3. Notice of motion.

4. Mr. Surender Singh, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent-State.

5. Learned counsel for the respondent-State concedes the fact that the quantity of contraband alleged to have been recovered from the petitioner is non-commercial in nature and also concedes that there is no other case pending against the petitioner and the investigation in the present case is already over and the challan has also been presented.

6. I have heard learned State counsel and have gone through the record with his able assistance.

7. Keeping in view the facts and circumstances of the present case that the contraband recovered from the petitioner is non-commercial in nature and there are no other cases pending against the petitioner coupled with the fact that the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial.

8. In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Petitioner is directed to not to influence trial or the witnesses in any manner and in case of default of the above direction, State will be at liberty to approach this Court for passing appropriate orders.

10. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

July 11, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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