

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

CRM-M-33975-2023 (O&M)

Date of decision:-31.07.2023

Duryodhan Sahni

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present:- Ms. Garima Sharma, Advocate for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

AVNEESH JHINGAN J.(Oral)

1. This petition is filed seeking regular bail in case of FIR No.309 dated 12.08.2022, under Sections 18 and 29 of Narcotic Drugs and Psychotropic Substances, Act, 1985, registered at Police Station Parao, District Ambala Cantt.

3. As per the case set up by the prosecution is that police party on 12.08.2022 on receipt of secret information apprehended Neelam Devi, Duryodhan Sahni (petitioner herein) and Subodh Sahni and recovered 3 Kgs. opium from the conscious possession of Neelam Devi.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 12.08.2022 and it is a case of false implication. No recover was made from the petitioner or at his instance; he is not involved in any other case.

4. Learned State counsel opposes the prayer and submits that all the three accused were together when the contraband was recovered from co-accused Neelam Devi.

5. Without commenting upon the merits of the case, considering that the no recovery was made from the conscious possession of the petitioner; he is not involved in any other case and conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. Since the main case has been decided, the pending application, if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

31.07.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No