

2023:PHHC:093835

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

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CRM-M-34586-2023

Date of decision : 25.07.2023

Gurmeet**..... Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.1164 dated 04.12.2022, registered for offences under Sections 22C and 27A of NDPS Act at Police Station Barwala, District Hisar.

2. Counsel for the petitioner submits that no recovery has been effected from the petitioner as he was nominated on the basis of disclosure statement made by co-accused, namely, Mukesh son of Bhura Singh. There is no other criminal antecedents of the petitioner having been involved in an offence punishable under NDPS Act. The petitioner has undergone incarceration of more than 03 months and 11 days. Challan already stands presented and thus there cannot be any apprehension that the petitioner shall tamper with the evidence. He further relies on law laid down in *Tofan Singh vs. State of Tamil Nadu* reported as **(2021) 4 SCC 1**.

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3. State counsel does not dispute the aforesaid factual assertion made on the basis of record.
4. In view of above, present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
5. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

25.07.2023

Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No