S. No.204 **2023:PHHC:133691**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-35010 of 2023
Date of Decision:13.10.2023

Dalbir and another **.....Petitioners**

Vs.

State of Haryana **.....Respondent**

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sandeep Kotla, Advocate for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

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DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C, petitioners have prayed for grant of regular bail in case FIR No.210 dated 10.05.2023 registered under Sections 20/29 of NDPS Act at Police Station Israna, Panipat, District Panipat.

As per allegations, 400 gram of charas was recovered from the right pocket of petitioner No.1 – Dalbir on 10.05.2023 and in his disclosure statement, said Dalbir nominated petitioner No.2- Bhole to be the supplier.

It is contended by learned counsel that petitioners have been falsely implicated. In fact, no recovery was effected from petitioner No.2; that even the alleged recovery of petitioner No.1 is of non-commercial category and that none of the petitioners are involved in any other case and that trial may take time to conclude.

Learned State Counsel does not dispute the fact that recovered quantity of contraband from petitioner No.1 – Dalbir falls in the non-commercial category.

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As per the custody certificate, petitioner No.1 – Dalbir Singh is in custody for the last 05 months and he has no criminal antecedents. It is also admitted that no recovery was effected from petitioner No.2 – Bhole.

Having regard to the afore-said facts and circumstances, but without commenting anything on the merits of the case, present petition is allowed. Petitioners are admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

October 13, 2023 **(DEEPAK GUPTA)**
renu **JUDGE**

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No

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