

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

**CRM-M-43817-2023  
Date of Decision:11.09.2023**

Ramesh Chand alias Kala

...Petitioner

vs.

State of Haryana

...Respondent

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

Present :    Mr. Rajesh Duhan, Advocate  
                 for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

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**N.S.Shekhawat J. (Oral)**

1.            The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.331 dated 24.12.2022 registered under Section 15 and 27-A of NDPS Act and Section 420 of IPC, at Police Station Julkan, Ismailabad, District Kurukshetra.

2.            As per the case of the prosecution, a police party was on patrolling duty and co-accused Sohan Singh was apprehended by the police. By searching the co-accused Sohan Singh and his Maruti Van, a recovery of 80 kgs of poppy straw was made from the said accused.

3.            Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case only on the basis of the suspicion. He further contends that the petitioner was not named in the FIR and has been involved by the police with some ulterior motive. Learned counsel further contends that the petitioner was named by his co-accused Sohan Singh and as

per the said statement, the petitioner had handed over a sum of Rs.50,000/- to Sohan Singh. Thus, on the basis of the disclosure statement made by Sohan Singh, the petitioner has been arrayed as an accused in the present case and the admissibility of the said disclosure statement is yet to be adjudicated by the trial Court. Learned counsel further contends that the petitioner was arrested in the present case on 25.12.2022 and is in custody for the last about more than 8 months. He further contends that the petitioner is not involved in any other crime and deserves the concession of bail.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that there are serious allegations against the petitioner.

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

6. 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

11.09.2023  
hemlata

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