

**214(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-46805-2022

Date of Decision: 28.03.2023

Pardeep Kumar

...Petitioner

V/S

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Deipa Singh, Advocate
for the petitioner.

Mr. Karan Garg, AAG Haryana.

DEEPAK MANCHANDA J. (ORAL)

Instant petition has been filed under Section 439 Cr.P.C. seeking regular bail in the case bearing FIR No. 286 dated 09.06.2022 registered under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (and Section 29 of NDPS added later on) at Police Station Industrial Sector 29, Panipat.

Learned State counsel has filed custody certificate of the petitioner, which is taken on record.

The brief facts of the facts are that while the police party was on patrolling duty, a secret informer informed that one Balister Sahni son of Dhenukh Sahni, resident of Bihar is in the business of supplying charas in Haryana and he will come to Sabzi Mandi, Panipat to supply the same. After 30 minutes of barricading, one person was seen coming from GT Road and holding a bag in his right hand on the basis of the suspicion, he was apprehended and on being searched 4 kg 200 grams of charas was recovered from his possession.

Learned counsel for the petitioner contends that petitioner has

been falsely implicated in the present case on the basis of disclosure statement of co-accused Balister Sahni from whom contraband was recovered. He contends that the petitioner has been in custody for nearly four months and no recovery has to be effected from him.

On the other hand, learned State Counsel has opposed the aforesaid prayer. He however, admits that the investigation in the present case has been completed and the challan stands presented.

I have heard the learned counsel for the parties and gone through the entire case file and custody certificate filed by learned State counsel. The petitioner is in custody for the last more than 09 months and 03 days. The investigation of the case has been completed and challan stands presented. The conclusion of the trial would take considerable time, no useful purpose would be served by keeping the petitioner in further incarcerated.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, if not required in any other case.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

28.03.2023
sapna

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No