

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

CRM-M-55523-2022 (O&M)

Date of Decision: 31.01.2023

DHAL CHAND

...Petitioner

V/S

STATE OF HARYANA

...Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Chetan Kapoor, Advocate  
for the petitioner.

Mr. Karan Garg, AAG Haryana.

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**DEEPAK MANCHANDA J.**

The petitioner is seeking regular bail in the case bearing FIR No. 762 dated 18.08.2022 under Section 18 of NDPS Act registered at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case as no independent witness was joined at the time of alleged recovery of 1 kg 90 gms opium nor any efforts were made to do so. It is further, contended that recovered contraband though falls under the intermediate category but it is only few kgs less than the commercial quantity and the petitioner is in custody since 18.08.2022, investigation of the case is complete and challan already stands presented.

On the other hand, learned State Counsel assisted by SI Krishan has opposed the aforesaid prayer, however, he has not disputed the fact that investigation of the case is complete and the challan stands filed.

Having heard learned counsel for the parties and gone through the case file, it is significant to note that the petitioner is in custody for a period of more than 05 months. Investigation of the case has been completed and

challan stands presented. Conclusion of the trial shall take considerable long time. No useful purpose would be served by keeping the petitioner in further incarceration.

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.

The petition is allowed.

31.01.2023  
*Ajay Goswami*

**(DEEPAK MANCHANDA)**  
**JUDGE**

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*