

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

CRM-M-62488-2023

Date of Decision:18.12.2023

Pardeep Kumar

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Nirmal Singh, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 256 dated 10.06.2023, registered under Section 20 (Section 27A added later on) of NDPS Act, Police Station Sadar Jind, District Jind.

2. Learned counsel for the petitioner contends that in the present case the FIR was registered against Sandeep and Devender, who were allegedly carrying 612 grams and 595 grams of Charas respectively. After their arrest, their respective disclosure statements were recorded by the police and the petitioner was named as an accused, who had allegedly supplied the contraband to both of them. Learned counsel further submits that co-accused Sandeep and Devender have already been granted the concession of bail and further custody of the petitioner will not serve any meaningful purpose. He further contends that the petitioner was arrested in the present case on 16.06.2023 and is in custody

since then and he is a first offender and deserves the concession of bail.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the present petitioner had actively participated in the commission of crime and the petitioner does not deserve the concession of bail.

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

5. In the present case, the petitioner is behind the bars for the last six months and he is a first offender. The co-accused Sandeep and Devender from whom the alleged recovery had taken place, had already extended the benefit of bail. The petitioner is also deserves to be enlarged on bail.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

18.12.2023
hitesh

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