

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1453-2024

Date of Decision: January 23, 2024

DEEPAKPetitioner
Versus
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Pankaj Bali, Advocate for the petitioner.
Mr. Chetan Sharma, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

By way of this first petition filed under Section 439 CrPC, prayer has been made for grant of regular bail pending trial in case FIR No.484 dated 10.08.2023 registered under Sections 18 and 29 of NDPS Act, 1985 at P.S. Gharaunda, Karnal, wherein, the petitioner has been implicated on the basis of disclosure statement made by co-accused Vikram Singh and Basanti Devi against the alleged recovery of 4 kilograms and 500 grams of opium.

2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the huge recovery of Opium involved in the FIR.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, the petitioner is behind the bars for a period of more than 5 months and investigation already stands concluded with the filing of challan against the petitioner. The petitioner

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is a young man of 30 years of age and is not involved in any other criminal case. Besides it, the veracity of the disclosure against petitioner is yet to be examined during trial. Considering the aforesaid facts and circumstances, this Court does not find justification to extend his incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

23.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No