

S. No.234

2024:PHHC:015394

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

CRM-M-4634 of 2024

Date of Decision:05.02.2024

Manish

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sauhard Singh, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.374 dated 31.10.2023 registered under Section 22(b) (Act No.61 of 1985) of the Narcotic Drugs and Psychotropic Substances Act (for short, 'the NDPS Act'), at Police Station Sarai Khawja, District Faridabad, Haryana.

Learned counsel for the petitioner contends that co-accused Wasim and Rahul have already been allowed bail by this Court vide order dated 18.01.2024 passed in CRM-M-62668 of 2023.

As per the prosecution allegations, 05 Buprenorphine injections of 02 ml each i.e. total 10 ml were found from the dashboard of a car. The car was occupied by petitioner Manish and one Naveen.

Learned counsel for the petitioner contends that the recovered quantity does not fall in commercial category; that petitioner is not involved in any other case pertaining to the NDPS Act; that he is in custody for the last more than 03 months and that he has been falsely involved in the present case.

Notice of motion.

Mr. Sumit Jain, Addl. AG, Haryana, accepts notice on behalf of the respondent- State. Learned State Counsel concedes the fact that the recovered quantity of the contraband falls in the non-commercial category.

As per the custody certificate placed on record by learned State Counsel, petitioner is in custody for the last 03 months and 04 days. He has no other criminal case pertaining to the NDPS Act.

Having regard to all the afore-said facts and circumstances, but without commenting anything on the merits of the case, present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

February 05, 2024
renu

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No