

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

**2024:PHHC:063157
CRM-M-13235-2024
Date of Decision: May 07, 2024**

Shreyance Jain @ Gullu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Dr. Naresh Kaushik and Mr. Pankaj Attri, Advocates
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.120 dated 01.05.2023, under Sections 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act'), registered at Police Station Industrial Area Bhiwani, District Bhiwani.

2. As per the prosecution allegations, petitioner and co-accused Sandeep Soni were found in possession of 10 bottles of Syrups Make Onerex of 100 ml each, total weighing 1 Kg. 100 grams, when they were coming from a car from the side of Rohtak on 01.05.2023. Co-accused Sandeep Soni was driving the car; whereas petitioner was the other occupier of the car.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that co-accused Sandeep Soni has already been allowed bail by this Court vide order dated 22.03.2024 passed in CRM-M-41693-2023; that petitioner is in custody for the last one year; that he is not involved in any other case pertaining to NDPS Act; and that the trial may take time to conclude.

4. Status report alongwith custody certificate has been filed.
5. Learned State counsel has opposed the bail petition by pointing out that the recovery was effected from the possession from the petitioner; whereas the co-accused, who was earlier allowed bail, was only the driver of the car. However, it is conceded that the recovered quantity of the contraband is marginally higher than the commercial category. The custody certificate reveals that the petitioner is in custody for the last 01 year and 01 day. He is not involved in any other case pertaining to NDPS Act.
6. Learned State counsel informs that out of 19 witnesses cited by the prosecution, 12 have already been examined. Thus, trial may take time to conclude.
7. Having regard to all the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

May 07, 2024

sarita

(DEEPAK GUPTA)
JUDGE

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