

SUNIL

Versus

STATE OF HARYANA

.....Petitioner

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.K. Rana, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail to the petitioner in case FIR No.513 dated 18.08.2023 registered under Section 20 of NDPS Act at Police Station Ballabgharh, District Faridabad wherein the petitioner has been implicated on the allegations of recovery of approximately 3 kgs of Ganja.

2. The prayer made has been vehemently opposed at the instance of learned State counsel while referring to the custody period of petitioner which is almost three and a half month only.

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, investigation already stands concluded with the filing of challan and the trial is likely to take some time as none of the prosecution witnesses has been examined so far. Besides it, the petitioner is already behind the bars for a period of almost three and a

half month by now and is not involved in any other case under NDPS Act. Moreover, the petitioner was implicated on the basis of disclosure statement made by co-accused namely Vipin who has already been granted the concession of regular bail by this Court vide order dated 10.04.2024 passed in CRM-M-12032-2024, besides, the petitioner was granted concession of interim bail by this Court vide order dated 20.03.2024, and the said concession has not been misused by the petitioner so far. Considering the aforesaid facts and circumstances, this Court does not find justification to extend his incarceration any further.

5. In view of the above, the interim order dated 20.03.2024 passed by this Court is made absolute, however, the petitioner shall keep on appearing before the trial Court on each and every date.

01.05.2024

(HARKESH MANUJA)
JUDGE

Tejwinder

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