

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237 CRM-M-14296-2024
Date of Decision.:22.03.2024

NaveenPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sahil Sharma, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.374 dated 31.10.2023 registered under Sections 22(b) of NDPS Act registered at Police Station Sarai Khwaja, District Faridabad.

2. As per 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 Naveen and one Manish Nain.

3. It is contended by learned counsel for the petitioner that petitioner has been falsely implicated and recovered quantity of contraband does not fall in the commercial category. Learned counsel further contends that similarly placed co-accused Manish has already been allowed regular bail vide order dated 05.02.2024 passed in CRM-M-4634-2024 (Annexure P-4). Two other co-accused Wasim and another have been allowed regular bail vide order dated 18.01.2024 passed in CRM-M-62668-2023. Learned

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counsel also contends that petitioner seeks bail on the basis of parity, that he is in custody for the last more than 04 months and trial may take time to conclude and so, he be allowed bail.

4. Notice of motion.
5. Mr. Randhir Singh, Addl. AG, Haryana accepts notice on behalf of respondent- State.
6. Learned State counsel though opposed the bail petition but could not refute the aforesaid contentions and concedes the fact that recovered quantity of contraband falls in the non-commercial category.
7. As per the custody certificate placed on record by learned State counsel, petitioner is in custody for the last 04 months and 22 days.
8. Having regard to the above facts and circumstances and on parity, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

March 22, 2024
Neetika Tuteja

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