

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

**CRM-M No. 20296 of 2024 (O&M)
Date of Decision: 01.05.2024**

Rahul @ Golu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mohan Sharma, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.0107, dated 10.04.2023, under Sections 22-C, 29, 61-85 of NDPS Act, registered at Police Station Kalka, District Panchkula (Haryana), whereby he was implicated on the basis of disclosure statement made by co-accused-Amit.

[2] Learned counsel for the petitioner submits that the petitioner is in custody since 01.12.2023 and has been falsely implicated in the present case; thus, prayer is for grant of regular bail to the petitioner.

[3] On the other hand, learned State Counsel vehemently opposes the prayer made on behalf of the petitioner, while referring to the huge recovery involved in the present case, i.e. 12400 capsules of Tramadol.

[4] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel

for the petitioner.

[5] In the present case, investigation stands concluded with the filing of challan, followed by framing of charges; the petitioner is behind the bars since 01.12.2023, i.e. for the past about five months and out of total 22 prosecution witnesses, none has been examined; thus, the conclusion of trial may take some time. Also, no recovery has been effected from the petitioner and he is not involved in any other cases. Besides it, co-accused, namely, Amit, on whose disclosure statement, the petitioner has been implicated in the present FIR, has already been granted the concession of regular bail by this Court vide order dated 02.04.2024 passed in CRM-M-606-2024. Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

[6] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illqa Magistrate/Duty Magistrate concerned.

[7] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

May 01, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>