



CRM-M-29682-2024 (O&M)

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

Sr. No.203**CRM-M-29682-2024(O&M)****Date of decision : 18.06.2024**

Sharwan Kumar

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

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

Mr. Saurabh Girdhar, AAG, Haryana.

KIRTI SINGH, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.253 dated 03.05.2024 registered under Section 22B of NDPS Act at Police Station City Tohana, District Fatehabad.

Learned counsel for the petitioner submits that the petitioner is a senior citizen of 63 years of age and he has been falsely implicated in the present case with the allegations of possessing 150 tablets of Alprazolam. He submits that the petitioner is in custody since 04.05.2024 after completion of custodial interrogation by the police. He further submits that there is non-compliance of Section 50 of the NDPS Act and there is no other criminal case pending against the petitioner.

Learned State counsel on instructions from SI Rambir Singh submits that the challan has not been filed till date. He also submits that recovery of 150 tablets of Alprazolam was made from the storage boot of the scooter of the petitioner. As per custody certificate filed by him, the

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petitioner has undergone actual sentence of 01 month and 14 days and there is no other criminal case pending against the petitioner.

Considering the facts and circumstances of this case and in view of fact that the trial is likely to take some time, I do not find any reason to extend the incarceration of the petitioner any further.

Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail after furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

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

(KIRTI SINGH)
JUDGE

18.06.2024

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes/No

Yes/No