

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

235

CRM-M-30355-2024 (O&M)
Date of Decision:- 12.08.2024

ANKIT

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amit Khari, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
35	24.02.2024	20 of the NDPS Act; (29 NDPS Act)	Matlauda, District Panipat

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He submits that the petitioner is in custody since 24.02.2024 and as per the allegations, the petitioner was found in conscious possession of 600 grams of charas when apprehended by the Police. He submits that after the completion of investigation, challan has already been presented in Court, wherein the prosecution has cited 17 witnesses, but none has been examined



till date. He further submits that the petitioner is not having any criminal antecedents, thus prayed for grant of regular bail to the petitioner.

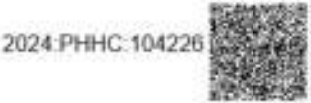
3. *Per contra*, learned State counsel while referring to the status report filed by the State has not disputed the factual matrix but submitted that since the petitioner was found in conscious possession of contraband, though not commercial, he does not deserve the concession of bail.

4. Heard.

5. After considering the respective submissions and perusing the record, it transpires that as per the case of the prosecution, the petitioner was apprehended by the police party headed by SI Sarabjit Singh on 24.02.2024, on the basis of secret information and from his personal search, 600 grams of charas was recovered and accordingly he was arrested.

6. From the perusal of the record, it transpires that after his arrest on 24.02.2024 and completion of investigation, challan has been presented in Court for trial, wherein the prosecution has cited 17 witnesses but none has been examined till date. As per the status report submitted by the State, the petitioner is stated to be having no other criminal case registered against him. The conclusion of trial to ascertain the criminal liability, if any, of the petitioner, will take sufficient long time and no purpose would be served by detaining the petitioner in custody any longer.

7. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on duty concerned, if not required



in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

12.08.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |