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**219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-30660-2024

Date of Decision: 08.08.2024

Dharmender Singh @ Dhamedr Singh @ Jagga

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Mayank Yadav, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.194 dated 24.04.2024, under Section 15 of NDPS Act 1985, registered at Police Station City Narnaul, District Mahendergarh.

2. Learned State counsel has placed on record the status report by way of affidavit of Suresh Kumar, HPS, Deputy Superintendent of Police, Narnaul, District Mahendergarh, which is taken on record. He has submitted that on verification, it has been found that the petitioner is acquitted in both cases, in which he was prosecuted other than the present case. On instructions from SI Amardeep, he submits that even as per verification, it has been found that wife of the petitioner is at the advance stage of pregnancy.

3. It has been further submitted that the petitioner has been implicated in the present case only on the basis of disclosure statement of



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the co-accused. He submits that neither the petitioner was arrested at spot nor there was any recovery effected from him. He submits that in the facts and circumstances of the case, the interim bail already granted to the petitioner vide order dated 29.07.2024, be made absolute.

4. After hearing learned counsel for the parties and perusing the status report filed, it is found that though the petitioner was prosecuted in two other cases, however, he was acquitted in those cases. Name of the petitioner was surfaced on the basis of the disclosure statement of the co-accused from whom 7.370 kgs of contraband (chura post and doda post) was recovered, which is a non-commercial quantity and the provisions of Section 37 of the NDPS Act are not thus attracted. As submitted by learned State counsel, investigation already stands completed and the case is fixed for framing of charges.

5. In the overall facts and circumstances of the present case, the Court finds that the counsel for the petitioner succeeds in making out a case for confirmation of the interim bail granted to the petitioner. Hence, the present petition is allowed and the order dated 29.07.2024 is made absolute.

08.08.2024
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Whether Speaking/Reasoned :
Whether Reportable :

(RAJESH BHARDWAJ)
JUDGE

Yes/No
Yes/No