



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-32658-2024 (O&M)
Date of Decision:-16.7.2024

Aman ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Chander Pal Tiwana, Advocate and
Mr. Prem Kumar, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
03	6.1.2021	Civil Lines, Police Station Hisar, District Hisar	22-C, 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The allegations, in nutshell, are that pursuant to receipt of secret information the petitioner was apprehended and from whose possession 76000 tablets of ‘tamadol’ were recovered.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that, in any case, he has been behind bars since the last more than 3 years and 6 months and since the trial is not likely to be concluded in immediate future, he deserves the concession of bail.



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4. Opposing the petition, learned State counsel submitted that since it is a case of recovery of commercial quantity of contraband, the fetters imposed by Section 37 of NDPS Act would come into play. Learned State counsel, however, informed that the petitioner has been behind bars since the last more than 3 years and 6 months and that as on date 13 PWs out of the cited 28 PWs have been examined. It has also been informed that the petitioner happens to be involved in one more case under NDPS Act i.e. FIR No.172 dated 31.8.2019 registered at Police Station Bhattu Kalan, Fatehabad, under Section 27-A of NDPS Act.
5. Learned counsel for the petitioner clarified that the petitioner has infact not named in aforesaid FIR No.172 dated 31.8.2019 and came to be nominated on the basis of a disclosure statement.
6. This Court has considered rival submissions addressed before this Court.
7. Without commenting anything as regards merits of the case, but having regard to the long custody of the petitioner i.e. more than 3 years and 6 months and also that conclusion of trial is likely to take time inasmuch as only 13 PWs out of the cited 28 PWs have been examined so far, further detention of the petitioner will not serve any useful purpose.
8. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.7.2024

Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No