



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

CRM-M-35729-2024

Date of Decision:- 23.09.2024

Ravinder Alias Aakash

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Aarti Sharma, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. The petitioner – Ravinder alias Aakash has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.77, dated 16.03.2024, under Sections 21 and 29 NDPS Act, registered at Police Station Model Town Panipat, District Panipat, Haryana.

2. As per the facts of case, on 16.03.2024 ASI Randeep Singh and police party was going on patrol duty where the investigation officer received secret information about Arun son of Mukesh that he was selling intoxicant near Gauri, Shankar Temple, and if raid was conducted he could be apprehended on the same day. As per the information received by the investigating officer, Arun co-accused was apprehended and from his possession 9 grams of heroin/smack was recovered. On the basis of this recovery present case was registered. During the course of interrogation present petitioner was named.

3. Learned counsel for petitioner argued that main accused was juvenile who has been granted bail. No recovery is effected from the petitioner. He is falsely named by the accused in the disclosure statement. He is behind the bars



for the last more than 5 months and he is ready to abide by the terms of bail order. Therefore, his regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing State of Haryana taking the stand that during interrogation, it was revealed that main accused Arun who was Juvenile was hired by the present petitioner for sale of intoxicant and he was being given Rs. 1 thousand per day. It is further pointed out that as per status report, present petitioner is involved in three other cases registered against him under NDPS Act. Therefore, petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record carefully. Ravindra alias Akash was apprehended on 05.04.2023 since then he is behind the bars. Admittedly, no contraband is recovered from his possession. Present petitioner is named by the main accused Arun from whose possession 9 grams of heroin/smack was recovered. Facts stated by the main accused in disclosure statement is matter of trial. So far as other NDPS cases registered against the present petitioner will be decided on its own merits.

5. Considering, the facts of the present case and without expressing my mind on the merits of the case, regular bail petition filed by the petitioner Ravinder alias Aakash is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. The petition is accordingly, accepted.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

23.09.2024
monika

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No