

2024:PHHC:098861



212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36076-2024
Decided on:-02.08.2024

Sharif Khan

....Petitioner..

VS.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mohammad Arshad, Advocate,
for the petitioner.

Mr. Shivendra Swaroop, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.379 dated 13.07.2023, registered under Sections 15(c), 27(a) and 29 of the NDPS Act, 1985 at Police Station Sadar, District Fatehabad, wherein the petitioner has been implicated for the alleged recovery of 300 kg of '*kacha doda post*'.
2. On the other hand, the prayer has been vehemently opposed at the instance of learned State counsel while referring to the recovery involved in the case in hand and thus, he prays for dismissal of the present petition.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, investigation already stands concluded with

the filing of challan, however, the charges are yet to be framed and, thus, trial is likely to take some time. The petitioner, who is a young boy of 29 years of age is behind the bars for the last 01 year and 20 days and he is not involved in any other case. Moreover, the alleged recovery has not been effected from the present petitioner.

5. Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

6. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

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

02.08.2024
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(HARKESH MANUJA)
JUDGE

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