



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

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CRM-M-42470-2024

Date of decision: 22.10.2024

THOUNAOJAM BOSKO MEITEI

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rahul Sharma, Advocate, for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 in case FIR No.94 dated 27.03.2024 under Sections 20(b)(ii)(B) and Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sector 40, Gurugram District Gurugram.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 29.03.2024; challan stands presented and the charges have been framed. It has still further been submitted that as per the case of the prosecution, secret information was received qua co-accused Rudraksh Gupta's involvement in drug trafficking; on being arrested a recovery of 18 Kgs. of *ganja* was allegedly affected from Rudraksh Gupta, who then named one person i.e. co-accused Sarthak as being his accomplice; during the interrogation of co-accused Sarthak, the latter nominated the petitioner as an accused in the second disclosure statement



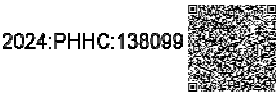
as well as the supplier of the recovered contraband. Learned counsel has submitted that the evidentiary value on the basis of which he had been arraigned as an accused is of weak nature and all this needs to be appreciated in the wake of the petitioner not being involved in any other criminal case. It has also been submitted by the learned counsel that on being arrested on 29.03.2024, no recovery of any contraband was affected from him.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has not disputed that the petitioner's name surfaced in the second disclosure statement allegedly suffered by co-accused. However, learned State counsel has contended that the petitioner is the supplier of the recovered contraband. Learned State counsel has also filed the custody certificate of the petitioner which is taken on record.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.



7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

October 22, 2024
poonam

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