

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

106+219

2024:PHHC:019883

CRM-4753-2024 in/and

CRM-M-46716-2023 (O&M)

Date of decision: February 13, 2024

Parveen Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-4753-2024

Prayer in this application is for placing on record the copy
of orders as Annexures A-1 to A-3.

Application is allowed subject to just exceptions.

Annexures A-1 to A-3 are taken on record.

CRM-M-46716-2023

Petitioner is seeking the concession of bail under Section
439 of the Code of Criminal Procedure, 1973 in case FIR No.136 dated
04.07.2023 under Sections 22 (C), 29, 61 of the NDPS Act, 1985,
registered at Police Station Jhansa, District Kurukshetra.

2. Learned counsel for the petitioner, *inter alia*, contends that
the petitioner is innocent and has been nominated as an accused on the
basis of a disclosure statement suffered by co-accused Ravi from whom
a recovery of 850 tablets of Alprade were allegedly effected.
Learned counsel submits that the petitioner has clean antecedents as he
is not involved in any other criminal case; the evidentiary value of the

disclosure statement on the basis of which he has been implicated in the case in hand is of a weak nature. It has also been submitted that investigation in the case in hand is complete as the challan stands presented, however, there is no likelihood of the trial concluding in the near future as 28 witnesses have been cited by the prosecution.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to dispute that the petitioner has clean antecedents and he has been nominated as an accused on the basis of a disclosure statement suffered by co-accused Ravi from whom the alleged recovery of contraband was effected. He has also not been able to dispute that the case of the petitioner is identical to that of the co-accused, who have since been enlarged on bail by this Court.

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

5. The petitioner has been in custody since 06.07.2023 and the trial is unlikely to conclude in the near future.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail 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 say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

February 13th, 2024

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No