



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 46169 of 2024 (O&M)
Date of Decision: 18.10.2024

Pardeep

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.S. Mor, Advocate
for the petitioner.

Mr. Manish Dadwal, Assistant Advocate General, Haryana
for the respondent.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.412 dated 18.12.2022, under Section 22 of NDPS Act (Section 29 of NDPS Act added later on), registered at Police Station Industrial Area, Bhiwani, District Bhiwani (Haryana), wherein he has been implicated against the alleged recovery of 188 bottles of SIROX containing narcotic substance.

[2] Learned counsel for the petitioner submits that petitioner is in custody since 18.12.2022 and the trial of the case will take long time, besides it, co-accused-Virender has already been granted the concession of regular bail by this Court vide order dated 09.10.2023 (Annexure P-2) passed in CRM-49702-2023, titled “*Virender Versus State of Haryana*”.

[3] Learned State Counsel vehemently opposes the prayer for grant of regular bail to the petitioner while referring to the antecedents of the petitioner and also submits that the recovered contraband falls under the commercial quantity; thus, he does not deserves the concession of regular bail.

[4] I have heard learned counsel for the parties and gone through the paper-book and find substance in the submissions made on behalf of the petitioner.

[5] In the present case, the petitioner is behind the bars since 18.12.2022, i.e. for the last one year and ten months by now; the investigation already stands concluded with the filing of challan and the conclusion of trial may take some time. Also, the co-accused-Virender has already been granted the concession of regular bail by this Court vide order dated 09.10.2023 (Annexure P-2). Moreover, admittedly, the petitioner is not involved in any other case falling under the NDPS Act. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

[6] In view of the above, but without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is **allowed** and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/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.

October 18, 2024

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**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>