

CRM-M-49264-2023

2024:PHHC:009592

--/-

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

CRM-M-49264-2023

Decided on:-24.01.2024

Gurvinder Singh @ Seet

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gurbir Singh Sidhu, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.379, dated 13.07.2023, registered under Sections 15-C, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Fatehabad, District Fatehabad.

2. In the present case, the petitioner has been implicated on the basis of disclosure statement made by his co-accused namely, Sukhwinder Singh @ Sukha from whom the alleged recovery of 300 kg of poppy husk was effected.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while referring to the huge recovery involved in the case in hand and thus, he prays for dismissal of the present petition.

4. 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.

5. Considering the fact that the investigation in the present case already stands concluded and challan is ready to be presented; the petitioner is behind the bars for the last approximately 05 months as also the fact that he having been implicated merely on the basis of disclosure made by co-accused Sukhwinder Singh @ Sukha; the veracity thereof is yet to be examined during trial, besides it, there is no other case of NDPS Act pending against the petitioner, I do not find any reason to extend the incarceration of the petitioner any further.

6. 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 concerned trial Court/Duty Magistrate.

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

24.01.2024
sonika

(HARKESH MANUJA)
JUDGE

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