

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207 CRM-M-49568-2023
Date of Decision.:07.02.2024

Parveen KumarPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.385 dated 13.10.2022 registered under Sections 20-B(ii)C, 27 & 29 of NDPS Act, 1985 & Section 201 of the IPC registered at Police Station Uklana, District Hisar.

2. As per allegations, 18.9 grams of Sulfa (Charas) was recovered from the possession of co-accused Vikram. Attribution to the petitioner is that in his disclosure statement, co-accused Vikram nominated the petitioner to the effect that he had purchased the contraband for the petitioner and that Amit had to take delivery from Vikram.

3. Learned counsel for the petitioner contends that Amit has already been allowed bail; that no recovery was effected from the petitioner; that petitioner is in custody for the last 10 months and that trial may take time to conclude.

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4. Learned State counsel opposes the petition by pointing out that recovered quantity of contraband from co-accused fall in non-commercial category. Learned counsel also points out towards the criminal antecedents of the petitioner as disclosed in the custody certificate earlier placed on record. The said custody certificate would reveal that petitioner is involved in one NDPS case and three cases pertaining to theft.
5. In reply, learned counsel for the petitioner has placed on record copies of the orders passed by different Court at different time so as to contend that petitioner is on bail in NDPS matter; whereas in rest of the three cases, he has already been acquitted.
6. The custody certificate also reveal that petitioner is in custody since 07.04.2023 i.e. for the last 10 months. No recovery was effected in this case. Co-accused Ajay has already been allowed bail.
7. Having regard to all the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

February 07, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No