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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49959-2024
Date of Decision: 25.11.2024

Lovepreet Singh alias Labbu ...Petitioner
vs.
State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Anirudh Singh Shera, Advocate (through VC)
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.198 dated 14.07.2024 registered under Sections 15, 29, 61, 85 of NDPS Act, 1985 at Police Station Sadar Pehowa, District Kurukshetra.
2. Learned counsel for the petitioner contends that 223 kgs of poppy straw was allegedly recovered from Harjinder Singh, non-applicant and the petitioner has been arrayed as an accused in the present case only on the basis of the disclosure statement suffered by Harjinder Singh, co-accused. He further contends that no recovery was effected from the petitioner and he is in custody since 30.08.2024. He further contends that co-accused, namely, Suraj Singh and Vijay Kumar @ Om Parkash have already been admitted to bail vide orders dated 18.12.2023 and 29.10.2024 passed by this Court and the petitioner is at par with them.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more FIR under the provisions of NDPS Act has been ordered to be registered against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. It is not in dispute that two other similarly placed co-accused, namely, Suraj Singh and Vijay Kumar @ Om Parkash have already been admitted to bail by this Court. The petitioner is in custody since 30.08.2024 and challan has already been presented against him. Thus, no purpose will be served by keeping the petitioner behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

25.11.2024.
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(N.S.SHEKHAWAT)
JUDGE

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