

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-54019-2024 (O&M)
Date of Decision:-6.11.2024

Shivam Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ravi Kumar Girdhwal, Advocate for the petitioner.
Mr. Vishal Kashyap, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
270	26.7.2023	Sadar Jhajjar, District Jhajjar, Haryana	20/29 of NDPS Act

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR, wherein the allegations are broadly to the effect that the petitioner was found in possession of 30 kilograms of ‘ganja’.
2. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that since the petitioner, in any case, has been behind bars for a substantial period of 1 year, 3 months and 7 days and the matter pertains to the recovery of one of the mildest form of contraband, the petitioner deserves the concession of bail. It has further been informed that as on date only 1 PW out of cited 24 PWs has been examined.
3. Opposing the petition, learned State counsel submitted that since it is a case where the petitioner was caught red-handed while in possession of



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contraband, his complicity is clearly evident. It has been informed that the petitioner as on date has been behind bars since the last about 1 year, 3 months and 7 days and that the petitioner otherwise is not involved in any other case. It has also been informed that as on date 1 PW out of cited 24 PWs has been examined.

- 4. This Court has considered rival submissions addressed before this Court.
- 5. Having regard to the nature of contraband recovered i.e. ‘ganja’ and while also bearing in mind the custody of the petitioner i.e. about 1 year, 3 months and 7 days and while also noticing that conclusion of trial is likely to consume time inasmuch as only 1 PW out of cited 24 PWs has been examined so far, further detention of the petitioner would not be justified.
- 6. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

6.11.2024
Geeta/P

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No