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

CRM-M-55965-2024**Date of Decision: 14.11.2024**

Narender Singh alias Rinku

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Vishal Sharda, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, 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 in case FIR No.198 dated 14.07.2024 registered under Sections 15, 61, 85 of NDPS Act, 1985, at Police Station Sadar Pehowa, District Kurukshetra.

2. Learned counsel for the petitioner contends that as per the case of the prosecution, 223 kgs of poppy straw was recovered from the main accused, Harjinder Singh. The petitioner was neither named in the FIR nor there is any averment, which connects the petitioner with the crime. The petitioner has been nominated as an accused on the basis of the disclosure statement suffered by co-accused. He further contends that no recovery was effected from the petitioner and the petitioner is in custody since 21.07.2024. After completion of the investigation, challan has already been presented against the petitioner. He further contends that there is no other case against the petitioner and he belongs to respectable family. He further contends that similarly placed co-accused,



namely, Vijay Kumar @ Om Parkash has already been granted the concession of bail by this Court vide order dated 29.10.2024 (Annexure P-3) passed in CRM-M-53097-2024.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled 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. In the present case, 223 Kgs of poppy straw was recovered from the co-accused and the petitioner has been arrayed as an accused on the basis of the disclosure statement suffered by co-accused only. The petitioner is in custody since 21.07.2024 and no recovery has been effected from him. Apart from that, similarly placed co-accused, namely, Vijay Kumar @ Om Parkash has already been granted the concession of bail by this Court vide order dated 29.10.2024 (Annexure P-3).

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.

(N.S.SHEKHAWAT)
JUDGE

14.11.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No