

214 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60901-2023

Decided on:-13.03.2024

Lal Bahadur @ Vikas

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Radhe Shyam Sharma, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, 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 to the petitioner, pending trial in case FIR No.164 dated 15.06.2023, registered under Sections 15 and 27-A of the NDPS Act, 1985, at Police Station Bhattu Kalan, District Fatehabad.

2. In the present case, the petitioner has been implicated on the basis of disclosure statements made by Vishnu and Anoop from whom the alleged recovery of 2 kg of “*Poppy husk*” (*doda post*) was effected.

3. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner is involved in 10 more cases; involving 04 cases under the NDPS Act, thus, he does not deserve the concession of regular bail.

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

petitioners.

5. In the present case, investigation already stands concluded with the filing of challan followed by framing of charges and the petitioner is behind the bars for the last 05 months & 02 days, thus, I do not find any reason to extend the incarceration of the petitioner any further, especially, when his involvement in other NDPS cases, relate to non-commercial quantity.

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 learned trial Court/Illaqa Magistrate.

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

13.03.2024
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(HARKESH MANUJA)
JUDGE

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