

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223 CRM-M-62668-2023
Date of Decision.:18.01.2024

Wasim and AnotherPetitioners
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.K. Tripathi, Advocate
for the petitioners.

Mr. Sumit Jain, Addl. AG, 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.374 dated 31.10.2023 registered under Sections 22(b)/61 of NDPS Act, 1985 registered at Police Station Sarai Khwaja, Faridabad, District Faridabad.

2. As per prosecution allegations, 05 Buprenorphine injections of 02 ml each i.e. total 10ml were found from the dashboard of a car. The car was occupied by co-accused Manish Nain and Naveen and in their disclosure statement, said Manish Nain nominated the two petitioners to be the supplier.
3. It is contended by learned counsel for the petitioners that petitioners have been falsely implicated; they have never been involved in any such activity; that the recovered quantity of contraband from the co-accused falls in non-commercial category and that in all these

circumstances, they be allowed bail.

4. Though status report has not been filed but learned State counsel, on instructions from SI Jamil, concedes the fact that recovered quantity of contraband falls in the non-commercial category. Custody certificate placed on record by learned State counsel reveals that petitioner Wasim is in custody for the last 02 months and 16 days whereas petitioner Rahul is in custody for the last 02 months and 17 days. None of the petitioners have any criminal antecedents.

5. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioners are admitted to bail on their furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

January 18, 2024
Neetika Tuteja

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