

2024:PHHC:014545

**CRM No.3965-3966 of 2024 in/and
CRM-M-63827 of 2023 (O&M)
Date of Decision:02.02.2024**

.....Petitioner

.....Respondent

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (Oral)

Although main case i.e. CRM-M-63827 of 2023 (O&M) is fixed for 08.02.2024, but after hearing learned counsel for the applicant- petitioner in CRM No.3965 of 2024, seeking interim bail, the main case itself is taken up on Board today for the purpose of disposal.

CRM No.3966 of 2024

This is an application for placing on record copy of Wedding Invitation Card as Annexure A.1.

Application is allowed. Wedding Invitation Card is taken on record as Annexure A.1.

CRM-M-63827 of 2023 (O&M)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.37 dated 18.01.2022 registered under Sections 18, 27-A, 29 (Act No.61 of 1985) of the Narcotic Drugs and

Psychotropic Substances Act at Police Station Sadar Thanesar, District Kurukshetra.

As per prosecution allegations, 04 Kg 500 grams of opium was recovered from the possession of co-accused Amarjit Singh on 18.01.2022. As per disclosure statement suffered by said Amarjit Singh, the part of the recovered contraband to the extent of 500 grams was purchased for petitioner – Harinder Singh for which he had paid an amount of ₹25,000/- to him in cash.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that he has never been involved in any such case; that he is in custody for the last approximately two months. Apart from this, in the application filed for interim bail, it is mentioned that marriage of brother-in-law of the petitioner is to take place on 02.02.2024 i.e. today itself and the reception is to take place on 05.02.2024. Copy of the wedding card is Annexure A.1.

Learned State Counsel does not dispute the afore-said facts. The custody certificate placed on record today reveals the custody period of the petitioner to be 01 month and 28 days. It is also revealed further that the petitioner is not involved in any other criminal case. It is not disputed by learned State Counsel that the petitioner is nominated only on the basis of disclosure statement of co-accused made during police custody and that no recovery of any contraband was effected from the petitioner.

Having regard to all the afore-said facts and circumstances, the petition is hereby allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

Application for interim bail, i.e. CRM No.3965 of 2024 is also disposed of accordingly.

A copy of this order be given dasti under signatures of the Bench Secretary. A copy of this order be also sent to the concerned Jail Superintendent through e-mail.

February 02, 2024
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Whether Speaking/reasoned

Whether Reportable

Yes/No

Yes/No

(DEEPAK GUPTA)
JUDGE