



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

CRM-M-60531-2024 (O&M)
Date of Decision:- 09.12.2024

Sumit Kumar ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Vashishth, Advocate, for the petitioner.
Mr. Neeraj Sheoran, DAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
208	02.10.2024	Kalka, District Panchkula	22(c), 29 of NDPS Act

GURVINDER SINGH GILL, J.

- The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
- As per the case of prosecution one Surinder Kumar was apprehended by the police who was found in possession of huge quantity of contraband i.e. Tramadol capsules weighing 1.468 Kgs, Lomotil tablets 303.6 Grams and Alprazolam tablets 418.80 Grams. It is further the case of prosecution that during the course of interrogation aforesaid Surinder Kumar disclosed that he has procured the contraband from the petitioner.



3. Learned counsel for the petitioner submits that he was never ever present at the spot and has been nominated subsequently on the basis of alleged disclosure statement made by co-accused the admissibility of which in any case would be debatable. It has been submitted that the petitioner has a clean record and is not involved in any other case.
4. Opposing the petition, learned State counsel submitted that having regard to the huge quantity of contraband recovered from co-accused, no case for grant of bail is made out. Learned State counsel however, not disputed that the petitioner has been nominated on the basis of disclosure statement of co-accused and that he otherwise enjoys a clean record and is not involved in any other case.
5. This Court has considered rival submissions addressed before this Court.
6. It goes without saying that the admissibility of a disclosure statement would be debatable particularly in the absence of any other connecting evidence. The petitioner otherwise has a clean record and the trial has not even commenced till date. Under these circumstanes it is a fit case for grant of regular bail. The 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.

09.12.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No