

CRM-M-14117-2025 (O&M)

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:038328



CRM-M-14117-2025 (O&M)
Date of Decision: 20.03.2025

DEEPAK ALIAS DEEPU ... PETITIONER
VERSUS
STATE OF HARYANA ... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. D.S.Virk, Advocate for the petitioner.
Mr. P.K.Aggarwal, DAG Haryana.

H.S. Grewal, J.

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No.401 dated 28.09.2024, under Section 15-C/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Sirsa, District Sirsa.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It has been alleged that the petitioner has been named on the basis of the disclosure statement made by the co-accused from whom recovery of 51 Kg and 960 gms of poppy husk has been effected, which is marginally above the commercial quantity and no recovery has been effected from the present petitioner and prays that he be released on bail.
3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner, which is taken on record. As per the custody certificate, the petitioner is in custody for 04 months and 11 days. Learned State counsel submits that the petitioner is involved in 04 more FIRs, out of which one is under NDPS Act.
4. On a query, learned counsel for the petitioner has stated that FIR No. 400 dated 26.09.2024, under Sections 15B/27A/29/61/85 of NDPS Act was

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registered two days prior to the present FIR and in that FIR also, the petitioner was involved on the basis of disclosure statement of the co-accused and moreover, he has been granted bail by the learned Addl. District and Sessions Judge, Sirsa vide order dated 30.11.2024 in the said FIR.

5. I have heard the learned counsel for the parties and perused the record.

6. In view of the above submission of learned counsels, since the trial is yet to commence and the same is likely to take time, the fact that the petitioner has undergone actual custody for 04 months and 11 days and continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, I deem it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that if on bail so granted through the instant order the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

20.03.2025
Janki

(H.S.GREWAL)
JUDGE

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