



217 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-50554-2024

Date of Decision: **27.02.2025**

Raashid @ Rashid

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. Rajpal Singh, Advocate and
Mr. G.S. Verma, Advocate, for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

H.S. GREWAL, J. (ORAL)

1. Instant 3rd petition has been filed under Section 439 Cr.PC seeking regular bail in case FIR No.506 dated 15.10.2022 under Sections 120-B/279/285/323/336 of IPC, 1860 and Sections 22(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 18-A/18-C of the Drugs and Cosmetics Act, 1940 registered at Police Station Chandimandir, District Panchkula.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is not named in the present FIR. The co-accused Sandeep @ Sunny and Rahul were apprehended at the spot along with the contraband. Thereafter, on the basis of their disclosure statements, names of Pankaj and Nakul were surfaced, who further disclosed the name of one Sanjiv Kumar, and the said Sanjiv Kumar has further disclosed the name of the present petitioner. It is alleged that Rs.2,49,000/- was deposited by Sanjiv Kumar in the account of the present petitioner as a drug money. It is further submitted that the said Sanjiv Kumar was running a chemist shop and was arrested in this case and he

jumped from the second storey of the building under the police custody and expired. The petitioner was arrested on 03.02.2023 but till date, only one witness out of total 17 prosecution witnesses, has been examined.

4. *Per contra*, learned State counsel opposes the prayer for grant of regular bail to the petitioner on the ground that petitioner is a habitual offender as he is also involved in two other cases of similar nature although he is on bail in those cases.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the name of the petitioner has been surfaced on the basis of disclosure statement. The petitioner is behind bars since 03.02.2023 and the trial will take considerably long time in its conclusion as only 01 out of total 17 prosecution witnesses has been examined so far. The culpability, if any, would be determined at the time of trial. Further incarceration of the petitioner would serve no useful purpose.

7. In view of the above, present petition is allowed.

8. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, petitioner is ordered to be released on regular bail during trial on his furnishing bail/surety bonds to the satisfaction of learned Illaqa Magistrate/Duty Magistrate/trial Court concerned.

9. Nothing observed hereinabove shall be construed as an expression of opinion on merits of the case.

27.02.2025
Parveen kumar

(H.S. GREWAL)
JUDGE

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