



225

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

CRM-M-60051-2024**Date of Decision: 29.01.2025**

Dev Nath Chaudhary

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Satnam Singh Gill, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.606 dated 29.09.2024 registered under Section 20 of NDPS Act, 1985 (Subsequent Section 29 of NDPS Act was added), at Police Station Industrial Sector-29, Panipat, District Panipat.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR and all the allegations were levelled primarily against Arvind Kumar, son of the petitioner. He further contends that Arvind Kumar was arrested by the police, while he was carrying 70 kgs 50 grams of *Ganga* in his conscious possession, without any permit or licence. Learned counsel further contends that the petitioner has been nominated as an accused in the present case on the basis of the disclosure statement suffered by Arvind Kumar, co-accused and except that there is no other evidence against him. He further



contends that the petitioner was wrongly arrested in the present case on 04.10.2024 and the investigation qua him has already been completed.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. It is an admitted fact that 70 Kgs 50 grams *Ganja* was recovered from Arvind Kumar, co-accused and no recovery was effected from the present petitioner. The petitioner is stated to be in custody since last more than 03 months and his further custody will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

29.01.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

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