



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

**CRM-M-61078-2024**

**Date of Decision: 18.02.2025**

Deepak Kumar @ Deepu

...Petitioner

vs.

State of Haryana

...Respondent

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

Present :    Ms. Himani Anand, Advocate  
                  for the petitioner.

                  Mr. Gurmeet Singh, AAG, Haryana.

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**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 in case FIR No.52 dated 04.04.2024 registered under Sections 15, 27-A, 29-61-85 of NDPS Act, 1985, at Police Station Ismailabad, District Kurukshetra.

2.            Learned counsel for the petitioner contends that the petitioner was neither named in the FIR nor was present at the place of alleged recovery. She further contends that it is not even the case of the prosecution that the petitioner had run away from the spot. During the raid, co-accused, Jaswinder Singh was arrested by the police and 52 kg of poppy husk was allegedly recovered from him. She further contends that during the course of investigation, Jaswinder Singh is alleged to have suffered a disclosure statement and on the basis of the same, the petitioner was arrayed as an accused in the present case. The petitioner was arrested on 06.04.2024 and is in custody since then. Even after his arrest, no contraband was recovered from the petitioner. After completion



of investigation, challan has already been presented against the petitioner and further custody of the petitioner will not serve any meaningful purpose.

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. In the present case, the petitioner is stated to be in custody since the last about 10 months and no recovery was effected from him. Moreover, the prosecution has placed reliance on 13 witnesses, only 04 witnesses have been examined so far and the trial is not likely to conclude in near future.

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.

**18.02.2025**  
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**(N.S.SHEKHAWAT)**  
**JUDGE**

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