



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.29845 of 2024
DATE OF DECISION :18th FEBRUARY, 2025

Chhotu Lal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

* * * *

Present : Mr. Ravinder Malik (Ravi), Advocate for the petitioner.

Mr. Rajat Gautam, Addl. A.G. Haryana.

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MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of regular bail by way of present petition under Section 439 Cr.P.C. in case FIR No.54 dated 18.03.2024 under Section 15(c), 27(A), 29/61/85 of NDPS Act registered at Police Station Uchana, District Jind.

2. Learned counsel for the petitioner submits that the petitioner has been languishing in custody since 21.04.2024 after being falsely implicated in the present case on the basis of a disclosure statement allegedly suffered by co-accused Iqbal Singh and Karanjit Singh from whom recovery of 146 Kgs of poppy husk was allegedly affected. Learned counsel for the petitioner has argued that not only does the disclosure statement made by co-accused have poor evidentiary value but the false implication of the petitioner in the present case finds further credence from the fact that on being arrested following the disclosure statement, no recovery of any contraband, much less poppy husk, was



made from the petitioner. It has been further submitted that investigation in the present case is complete and after the charges were framed on 22.01.2025 none of the 31 prosecution witnesses had been examined. Hence the possibility of the trial concluding in the near future did not arise.

3. *Per contra*, the learned State counsel while opposing the prayer and submissions made by the counsel opposite on instructions has not disputed the custody period of the petitioner nor has he disputed the stage of the trial.

4. On a pointed query, it has also not been disputed by the learned State counsel that no recovery of any contraband was made from the petitioner on being arrested on 21.04.2024. Further it has been asserted by the learned State counsel that the charges were framed on 22.01.2025 and none of the 31 witnesses have been examined. Learned State counsel further has submitted that during the interrogation of the co-accused it came to light that the petitioner was one of the supplier of the recovered contraband.

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

6. The petitioner is not stated to be involved in any other case under the NDPS Act. The investigation is complete in the present case. The trial is unlikely to conclude in the near future as prosecution evidence is likely to commence only on 26.03.2025.



7. In the facts and circumstances enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner as no further incarceration of the petitioner is required.

8. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

18th February, 2025
'raj'

(MANJARI NEHRU KAUL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>