

CNR No. HRYN01-006786-2023.

CIS No.BA/2022 of 2023

Himmat Singh Versus State of Haryana

1

**IN THE COURT OF NIDHI BANSAL, ADDITIONAL SESSIONS
JUDGE, YAMUNA NAGAR AT JAGADHRI. (UID NO.HR0227).**

CNR No. HRYN01-006786-2023.

CIS No.BA/2022 of 2023.

Bail Application No.2022 of 2023.

Date of Institution: 05.09.2023.

Date of Decision: 08.09.2023.

Himmat Singh aged 23 years son of Shri Amarjit Singh resident of Jammu
Colony B, Yamuna Nagar, Police Station Gandhi Nagar, District Yamuna
Nagar.

....Accused/Applicant

Versus

State of Haryana

....Respondent

F.I.R. No.336 dated 04.08.2023.

Under Sections: 21B of Narcotic Drugs and
Psychotropic Substances Act, 1985.

Police Station: Gandhi Nagar.

**Application under Section 439 Cr.PC. for
regular bail.**

Present: Shri Amandeep Singh, Advocate for the applicant.
Shri Rishi Sharma, Public Prosecutor for the State.

ORDER:

The accused-applicant has sought the indulgence of this court
for grant of regular bail in the aforementioned FIR.

(Nidhi Bansal)
ASJ/Jagadhri.
08.09.2023.

2. As per prosecution version, applicant-accused Himmat Singh son of Shri Amarjit Singh resident of Jammu Colony was apprehended on 04.08.2023 along with narcotic substance i.e. **heroin weighing 13 gram**, by ASI Mehar Lal, on the basis of secret information. Consequent upon making necessary compliance under the NDPS Act, he was formally arrested. During interrogation, he suffered disclosure statement disclosing the name of co-accused Rahul being source.

3. Upon being noticed of bail application, reply to the same was filed vehemently contesting the same. Copy supplied.

4. Heard.

5. Learned counsel for the applicant contended that the applicant has been falsely implicated in the present case. It is further argued that applicant is in custody since 04.08.2023. It is further argued that the applicant is not a previous convict and is local resident of Yamuna Nagar. With these submissions, learned counsel prayed for allowing the present application for regular bail.

6. On the other hand, learned Public Prosecutor for the State highly opposed the bail application and prayed for dismissal of the same.

7. I have considered the rival submissions of both sides and material on record. The applicant has been booked under section 21 (B) of NDPS Act. Allegations against the applicant are that **13 gram heroin** was recovered from his possession. The recovered contraband falls under the

category of intermediate. The applicant is in custody since 04.08.2023. The applicant is not a previous convict and is local resident of Yamuna Nagar. Statedly, Investigating Officer of case is not well, so presentation of challan will take some time. Recovery already stands effected. So, as such, no useful purpose would be served while detaining the applicant further behind the bar.

8. Keeping in view the totality of the circumstances, without commenting on the merits of the case, instant bail application is **allowed**. The applicant is ordered to be released on bail on his furnishing bail bond/surety bond to the tune of ₹1,00,000/- with one surety of the like amount to the satisfaction of **learned Illaqa Magistrate/Duty Magistrate**. A copy of this order be sent to learned Illaqa Magistrate/Duty Magistrate for compliance.

9. As provided under Rule 15(iii), Chapter 10 of Punjab and Haryana High Court Rules and Orders, Volume-III, copy of this order be supplied forthwith to the applicant, who is confined in Jail, through Jail Superintendent.

Papers be tagged with the remand paper.

Pronounced in open court:
Dated: 08.09.2023.

(Nidhi Bansal),
Additional Sessions Judge,
Yamuna Nagar at Jagadhri.
UID No.HR0227.

Sanjaykumar,
Stenographer Gr.I

(Nidhi Bansal)
ASJ/Jagadhri.
08.09.2023.

Present: Shri Amandeep Singh, Advocate for the applicant.
Shri Rishi Sharma, Public Prosecutor for the State.

Police reply filed. Copy supplied. Arguments heard.

Order pronounced. Vide my separate order of even date, bail
application stands **allowed**.

Papers be tagged with the remand paper.

Pronounced in open court:
Dated: 08.09.2023.

(Nidhi Bansal),
Additional Sessions Judge,
Yamuna Nagar at Jagadhri.
UID No.HR0227.

Sanjaykumar
Stenographer GR.1.

(Nidhi Bansal)
ASJ/Jagadhri.
08.09.2023.