

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

CRM-M 13965 of 2015

Date of decision : 06.05.2015

Balihar Singh @ Bagga

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Dhirinder Chopra, Advocate for the petitioner.

Mr. P.K. Jangra, Addl. A.G. Haryana.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 19 dated 19.02.2015 under Sections 15 of the NDPS at Police Station Siwan, District Kaithal.

Learned counsel for the petitioner contends that contraband recovered from the petitioner is non-commercial in nature. He is in custody since 19.02.2015. According to him, charge has not been framed till now. Thus, no useful purpose would be served by detaining the petitioner in custody any longer.

Learned State counsel has opposed the prayer on the ground that petitioner has been convicted in another case under the NDPS Act.

I have heard learned counsel for the parties.

Keeping in view the fact that quantity of contraband recovered from the petitioner is non-commercial in nature and he is in custody since 19.02.2015, I am of the considered view that that no useful purpose would be served by detaining him in custody any

longer. Without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Kaithal.

May 06, 2015

Ajay

(RAJAN GUPTA)
JUDGE