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

**CRM-M No. 24565 of 2015
Date of Decision: 03.08.2015**

SUNIL KUMAR

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks regular bail in FIR No.172 dated 23.04.2015 under Section 20 of NDPS Act, Police Station, Narnaund, District Hisar. 300 grams of charas is alleged to have been recovered from the petitioner.

Learned counsel for the petitioner states that recovery is non-commercial in nature and therefore, Section 37 NDPS Act is not attracted.

Petitioner is in custody since 23.04.2015. Challan has been presented on 15.06.2015. Mr. Yashwinder Singh, DAG, Haryana, on instructions from SI Raghbir Singh states that petitioner was involved

in FIR No.732 of 2008 under Section 395 IPC in which he was acquitted on 09.04.2010. Similarly in FIR No.340 of 2008 under Sections 457/380 IPC, petitioner was acquitted. In FIR No.288 of 2007 under Excise Act, petitioner was fined. One more FIR No.312 of 2005 was also registered against the petitioner under Section 457, 380 IPC. Apparently, no case under Section NDPS was registered against the petitioner and in the aforesaid cases either the petitioner has been acquitted or he has compounded the offence.

Without commenting upon the merits of this case at this stage, petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds to the satisfaction of trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

August 03, 2015
SwarnjitS

(RAJ MOHAN SINGH)
JUDGE