

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-31781-2015 (O & M)

Date of decision:28.09.2015

Kabal Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.S. Virk, Advocate,
for the petitioner.

Mr. Gaurav Dhir, DAG, Haryana.

Rajan Gupta, J. (oral)

This is a petition under Section 439 Cr.P.C. seeking regular bail to petitioner in a case registered against him vide FIR No.254 dated 04.06.2015 under Sections 15, 20, 25, 61 and 85 of the NDPS Act (Sections 27-A and 29 of NDPS Act added later on) at Police Station Gharonda, District Karnal.

530 Kgs of poppy straw was recovered from a truck on June 04, 2015. According to the prosecution, out of this 250 Kgs was to be supplied to the petitioner-Kabal Singh who had paid ₹50,000/- in advance.

Learned counsel for the petitioner has argued that petitioner was not apprehended on the spot. Co-accused are in custody.

Prayer has been opposed by learned State counsel on the ground that allegations against the petitioner are serious in nature and he is convicted in another case under the NDPS Act.

However, keeping in view the nature of allegations, period of incarceration of the petitioner and the fact that the trial may take long

time to conclude, I am of the considered view that no useful purpose will be served by detaining the petitioner any longer. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Karnal.

28.09.2015
sukhpreet

(RAJAN GUPTA)
JUDGE