

CRM-M-36571-2015

Date of Decision : 03.11.2015

Subhash

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.N.S.Shekhawat, Advocate
for the petitioner.

Ms. Tanushree Gupta, D.A.G., 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?

AJAY TEWARI, J. (Oral)

This is an application for regular bail in case bearing FIR No.181 dated 26.03.2015, registered under Sections 15/25/27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Ratia, District Faridabad.

Learned counsel has argued that as per the allegations in the FIR the police party saw the co-accused trying to shift some bags but on seeing the police he escaped. There were seven bags containing 140 Kilograms of poppy husk in all. About 4½ months later the co-accused was arrested on 06.08.2015 and it is alleged that he informed the police that he had procured the contraband from the petitioner. As per learned counsel during the lapse of more than three months since then and a period of two months since the petitioner has been arrested, no other material has surfaced

against him and he has no previous history of indulging in any similar crime. Learned DAG, on instructions from SI Khubba Ram, has accepted these factual assertions.

Learned counsel for the petitioner has relied upon **Hamid Hassan v. State of Haryana** reported as 2013(5) RCR(Criminal) 848 which completely covers the case of the present petitioner. In these circumstances I do not deem it appropriate to deny him the concession of bail.

Bail to the satisfaction of the trial Court.

Petition stands disposed of.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

November 03, 2015
sunita

(AJAY TEWARI)
JUDGE