

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

CRM-M-37414-2015 (O&M)

Date of decision : 06.11.2015

Surender Kumar @ Chhinda

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. P.K. Ganga, Advocate,
and Mr. V.K. Mehra, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana,
assisted by ASI Rampal Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.61 dated 15.02.2015, Sections 17, 18, 21, 22 and 27A of the Narcotic Drugs and Psychotropic Substances Act, at Police Station Sadar Dabwali, Distt. Sirsa.

The learned counsel contends that the petitioner is in custody since 15.02.2015. The quantity allegedly recovered from the petitioner falls under the category of non-commercial quantity. The petitioner is the sole bread earner of the family and saddled with the responsibility of four minor children. He is not involved in any other

case.

On the other hand, the learned State counsel, on instructions, submits that the contraband was recovered from the conscious possession of the petitioner. The challan stands presented, charges framed and out of fifteen prosecution witnesses, none has been examined so far.

Heard.

Considering the fact that the quantity of contraband alleged recovered is non-commercial, the petitioner is not involved in any other case and none out of the fifteen prosecution witnesses cited, has been examined, thus, the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

06.11.2015

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(JITENDRA CHAUHAN)
JUDGE