

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

CRM-M-5163-2015 (O&M)
Date of decision : 20.02.2015

Hawa Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Parmod Parmod, Advocate,
for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana,
assisted by SI Angrej Singh.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.9 dated 17.01.2015, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Siwani, Distt. Bhiwani, Haryana.

It is contended that the petitioner has been falsely implicated in the present case. The alleged recovery is of 5 kgs. 800 gms. of poppy straw from four accused, which falls under the category of non-commercial quantity. The petitioner is not involved in any other case.

On the other hand, the learned State counsel, on instructions, submits that the challan is likely to be presented on the next date of hearing before the trial Court, i.e. 24.02.2015. She, however, admits that the petitioner is not involved in any other case.already matter is fixed for incorrect dates have wrongly been reflected in some of the documents.

Heard.

The petitioner is in custody since 17.01.2015. The quantity allegedly recovered falls under the category of ' non-commercial quantity'. The petitioner is not involved in any other case. The challan is yet to be presented.

In view of the above, without advertng 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 Illaqa Magistrate/Chief Judicial Magistrate.

20.02.2015
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(JITENDRA CHAUHAN)
JUDGE