

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

CRM No. M-17822 of 2016.

Decided on: 31.08.2016.

Rakesh Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. R.S. Randhawa, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

JITENDRA CHAUHAN.J.(ORAL)

This is an application under Section 439 Cr.P.C for grant of regular bail in FIR No.37 dated 09.02.2016 registered under Section 20 of NDPS Act at Police Station Sadar Ballabgarh, District Faridabad.

Learned counsel for the petitioner contends that the petitioner was not arrested from the spot. The petitioner has been falsely implicated in the present case. The petitioner has not been named in the FIR. No recovery was effected from the petitioner. The petitioner is in custody since 07.03.2016.

On the other hand, the learned State counsel submits that a huge quantity of 101 kgs 150 gms of Ganja was recovered from the vehicle. On seeing the Police party, the petitioner fled away from the spot.

I have heard the learned counsel for the parties and have gone through the case file.

Considering the fact that the petitioner was not arrested from the spot, the recovery was not effected from his conscious possession, out of 16 prosecution witnesses, two witnesses have been examined so far, therefore, it can be inferred that the conclusion of trial will take a long time, so, without commenting on the merits of the case, the instant petition is allowed and the petitioner is ordered to be admitted to bail on his furnishing bail bonds to the satisfaction of trial Court.

31.08.2016.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No