

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

**CRM-M No. 18355 of 2016 (O&M)
Date of Decision: 30.05.2016**

Pala Ram

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vivek Goel, Advocate
for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by ASI Pawan Kumar.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 of Cr.P.C. filed on behalf of the petitioner-accused-Pala Ram is for grant of regular bail in case FIR No. 171, dated 06.04.2016, for offences punishable under Sections 20/61/85 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Shahabad, District Kurukshetra.

There is alleged recovery of 10 kgs. of *Ganja*, which concededly is non-commercial in nature.

Learned counsel for the petitioner contends that the petitioner is in custody since 06.04.2016 and there are three other cases pending against the petitioner under the NDPS Act, in which he has been enlarged on bail in view of non-commercial nature of the quantity. He further submits that the investigation qua the petitioner is over.

Learned State Counsel, assisted by ASI Pawan Kumar, does not refute the aforesaid factual contention and further states that investigation qua the petitioner is over.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period of the petitioner and recovery of contraband being non-commercial in nature, no useful purpose would be served by keeping the petitioner-accused in custody since the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

May 30, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE