

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-25156 of 2016
Date of Decision: 29.07.2016

Sonu @ Sarwan

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.252 dated 13.5.2016 under Sections 20 and 27A of the NDPS Act registered at Police Station Samalkha, Panipat.

Learned counsel for the petitioner contends that the alleged recovery made from the petitioner is 1 kg. of charas which included the weight of polythene bag also and therefore, case of the petitioner falls within non-commercial category. He further submitted that the petitioner is in custody since 13.5.2016 and there is no other case pending against him.

Learned State counsel, on instructions from HC Sukhbir Singh, does not dispute the aforesaid facts.

I have heard learned counsel for the parties.

The alleged recovery made from the petitioner is 1 kg. of *charas* which falls in non-commercial category and FSL report is yet to be received and as such, incomplete challan has been presented. Therefore, considering the fact that the petitioner is in custody since 13.5.2016 and trial will take sufficiently long time, no useful purpose would be served to keep the petitioner in custody, particularly when there is no other case pending against him. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

July 29, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No