

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

CRM No.M-34741 of 2016 (O&M)

Date of decision: 06.10.2016

Malak Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ranvir Singh, Advocate for the petitioner(s).

Mr. Neeraj Poswal, AAG, Haryana

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner(s) has sought regular bail in case FIR No.575 dated 27.10.2014, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Assandh, Distt. Karnal.

It is contended that no recovery has been effected from the conscious possession of the petitioner. He was not arrested from the spot. The alleged recovery was effected from the room without doors. The petitioner was allegedly declared proclaimed offender on 13.04.2015 during the pendency of the bail petition before this Court. The petitioner is not involved in any other FIR.

The learned State counsel has vehemently opposed the present

petition, however, he fairly admits that the petitioner is not involved in any other FIR. He further states that out of twenty-two prosecution witnesses, one has been examined so far.

Heard.

Considering the facts that petitioner is not arrested from the spot; not involved in any other FIR; and out of twenty-two prosecution witnesses, one has been examined so far, trial is likely to take long time, therefore, no purpose would be served in keeping the petitioner behind the bars, 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, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

06.10.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No