

CRM-M-34950-2016

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

CRM-M-34950-2016

Date of Decision:05.10.2016

Rajesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vishal Malik, Advocate,
for the petitioner.

Mr. Vikas Chopra, Deputy Advocate General, Haryana.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.180 dated 25.05.2016, registered
at Police Station Madlauda, District Panipat, under Sections 18 and 20 of
the NDPS Act.

Notice of motion has been issued in this case. Learned State
counsel has accepted notice on behalf of the respondent-State and
contested this petition.

I have heard learned counsel for the petitioner as well as
learned State counsel and have gone through the record.

From the record, I find that opium weighing 300 grams and
charas weighing 60 grams were recovered from the present petitioner.

CRM-M-34950-2016

The aforesaid recovery falls under non-commercial quantity. It is argued by learned State counsel that another FIR has also been registered against the present petitioner under the NDPS Act.

The petitioner has been in custody since 25.05.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail; without expressing any opinion on the merits of the case and in view of the fact that recovery effected from the present petitioner falls under non-commercial quantity, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

05.10.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No