

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

**CRM No. M-37119 of 2016 (O&M)
DECIDED ON:- OCTOBER 24, 2016**

HARI RAM

.....PETITIONER..

VERSUS

STATE OF HARYANA

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Rakesh Dhiman, Advocate,
 for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J. (Oral)

CRM No. 32677 of 2016

Application is allowed, as prayed for.

CRM No. M-37119 of 2016

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure (for brevity, "Code" only), petitioner-Hari Ram has sought bail during the pendency of trial, in case FIR No.728 , dated 26.08.2016, under Section 17 of NDPS Act, registered at Police Station Jhajjar, District Jhajjar.

Undoubtedly, petitioner was arrested in this case on August 26, 2016 and subjected to custodial interrogation. Subsequently, he was remanded to judicial custody meaning thereby, he is no more required for further investigation. During the course of arguments it has also emerged that investigation is complete and report under Section 173(2) Cr.P.C has already

been presented in the court of Jurisdictional Magistrate and disposal thereof, would take sufficient long time.

Moreover, 170 gms of opium is alleged to have been recovered from the possession of petitioner, which is less than commercial quantity, as per the schedule of the NDPS Act.

Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate.

OCTOBER 24, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No