

CRM-M-37540-2016

Date of Decision : 27.10.2016

Rajesh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Vishal Yadav, Advocate
for the petitioner.

Mr. C.S. Bakhshi, Addl.A.G., Haryana.

M.M.S. BEDI, JUDGE (ORAL)

The petitioner is alleged to have been found in possession of 190 grams of Charas which is non-commercial quantity.

State counsel has opposed the petition for bail contending that the petitioner had made a disclosure statement that he had concealed 2.500 kg of Charas at his house but in connivance of Inspector Rajinder, the recovery could not be effected.

I have considered the contention of counsel for the State and I am of the opinion that the petitioner cannot be held liable for a recovery which has not been effected but remains in papers in the form of a disclosure statement purported to be under Section 27 of the Evidence Act.

In view of the above circumstances, the petition is allowed.

Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(M.M.S. BEDI)
JUDGE

27.10.2016
Neha

Whether Speaking/Reasoned:	Yes/No
Whether Reportable:	Yes/No