

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

CRM-M-37659 of 2016
Date of Decision:26.10.2016

SunilPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner.

Mr. Karan Sharma, Asst. A.G., Haryana.

SNEH PRASHAR, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No. 389 dated 14.05.2016, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act,1985 registered at Police Station, Jhajjar, District Jhajjar.

Heard the submissions made by Mr. Sanjeev Kodan, Advocate representing the petitioner and Mr. Karan Sharma, Asst. A.G., Haryana. representing the State.

Learned counsel for the petitioner submits that the alleged recovery of 850 grams of narcotic drug from the petitioner was not made in the presence of a gazetted officer as per section 50 of the Narcotic Drugs and Psychotropic Substances Act. The recovery made also does not fall under commercial quantity. The petitioner is in custody for the last more than five months and the trial will still take some time to complete.

Considering the facts and circumstances and without going into the merits of the case the petitioner , who is in custody since 14.05.2016 and the trial is still likely to take some time to complete and there appears no plausible ground to detain the petitioner further in custody is admitted to regular bail during pendency of the trial, subject to his furnishing bail/surety bonds, to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

(SNEH PRASHAR)

October 26, 2016
rashmi

JUDGE

Whether Speaking/reasoned? Yes

Whether Reportable? No