

287.

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

CRM-M-39896-2016

Date of decision:15.11.2016

Naveen @ Bholu

... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. B.R. Vohra, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of bail to the petitioner in case FIR No.212 dated 19.06.2016 under Section 20 of NDPS Act, Police Station Kundli, Sonipat.

Learned counsel for the petitioner contends that the allegation against the petitioner is recovery of 930 grams of charas which fall under non-commercial category. He states that petitioner is in custody since 18.06.2016 and there is no other case against the petitioner. He further states that the trial in the case will take long time as only charge has been framed.

On the other hand, learned State counsel on instructions from ASI Devinder Singh submits that there is no other case against the petitioner, however, states the order passed by the then Additional Sessions Judge suggests that the petitioner is a habitual offender but he has no such

material with him.

Heard, learned counsel for the parties.

The alleged recovery of 930 grams of charas was effected from the possession of petitioner and the said quantity falls within non-commercial category and there is no other case against the petitioner. He is in custody since 18.06.2016 and the trial in the case will take sufficient long time.

Accordingly, without making any observations on the merits of the case, but taking into consideration the alleged recovery of 930 grams of charas, coupled with the fact that the trial in the case will take long time, this Court is of the opinion that no useful purpose would be served by keeping the petitioner in custody. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that in case the petitioner is found indulged in any other case of similar nature, the prosecution will be at liberty to move appropriate application seeking cancellation of bail of the petitioner.

(HARI PAL VERMA)
JUDGE

15.11.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.