

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-42724 of 2015 (O&M)
Date of Decision: 28.01.2016

Gurmeet Singh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.P.S. Bajwa, Advocate for the petitioner.

Mr. Rajiv Doon, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

Petitioner seeks the benefit of regular bail in case F.I.R. No.154 dated 18.8.2015 under sections 15, 61, 85 of N.D.P.S Act, registered at Police Station, Cheeka, District Kaithal.

Learned counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the person of the petitioner is 16 kgs. 700 gms. of poppy husk. Concededly, such quantity would be construed as non-commercial in nature.

Investigation in the case is complete, challan stands presented and even charges have been framed. However, prosecution evidence is still to be led. The trial, as such, is at the very initial stage.

Learned State counsel would vehemently oppose the present petition by stating that the petitioner is a habitual offender and is involved in two other proceedings under the N.D.P.S Act. In one case he has already been convicted.

Counsel for the petitioner would, however, join issue and submit that in so far as conviction is concerned the sentence awarded was six months which has already been served out and in the other case the

petitioner is already on bail.

In an overview of the matter, petitioner is held entitled to the benefit of bail. Present petition is, accordingly, allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Kaithal.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

28.01.2016
lucky