

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

CRM No.M-45142 of 2016 (O&M)

Date of decision: December 23, 2016

Harpreet Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amit Chaudhary, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners-Harpreet Singh and Chamandeep alias Bhola have filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.226 dated 18.08.2016, registered at Police Station Kalanwali, Distrit Sirsa, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued in this case.

On asking of the Court, Mr. B.S.Virk, Deputy Advocate General, Haryana, has accepted notice on behalf of the respondent-State and contested this petition. Police record is also available.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

As per FSL report produced by the learned State counsel, *phenobarbital* salt was detected in the sample. Learned State counsel at the time of arguments admitted that recovery effected from the present petitioners falls in non-commercial quantity. The petitioners are in custody

since 18.08.2016. They are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioners are ordered to be released on regular bail subject to their furnishing personal bonds in the sum of Rs.50,000/- each with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

December 23, 2016

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No