

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

CRM No. M-9275 of 2016.

Decided on: 08.07.2016.

Suresh Kumar @ Munna

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Ashwani Gaur, Advocate,
for the petitioner.

Mr. Saurav Mohunta, DAG, Haryana.

JITENDRA CHAUHAN.J.(ORAL)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No. 152 dated 09.02.2016, registered under Section 20 of the NDPS Act, at Police Station Chandni Bagh, Panipat, District Panipat.

Learned counsel for the petitioner contends that the quantity allegedly recovered from the petitioner i.e. 150 gm charas is non-commercial. The petitioner is in custody since 9.2.2016. The trial is not likely to be concluded in near future as none of the cited prosecution witnesses have been examined so far. He further states that the police has been repeatedly falsely implicating the petitioner in one FIR or the other. He has already been acquitted in other five FIRs on various dates.

Learned State counsel is not able to controvert the fact stated by the learned counsel for the petitioner. However, he states that the petitioner is a person with bad antecedents.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the petitioner stands acquitted in the said FIRs registered against him, he is in custody since 9.2.2016, out of 11 prosecution witnesses, none has so far been examined, therefore, the trial is not likely to be concluded in near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

08.07.2016
SN

(JITENDRA CHAUHAN)
JUDGE