

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

CRM-M-13625 of 2017 (O&M)

Date of decision: 27.04.2017

Ram Niwas @ Dugal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Jitender Nara, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, 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 FIR No. 37 dated 15.02.2017, registered under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Beri, District Jhajjar.

It is contended that the recovery in question is non commercial as the weight of wrapping sheet has also been included towards the weight of contraband. The petitioner is not involved in any other FIR and he is in custody since 15.02.2017.

On the other hand, the learned State counsel opposes the prayer of bail and states that recovery was effected from the conscious possession of the petitioner.

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

Considering the fact that the petitioner is not involved in any other FIR and all the witnesses are police officials; the conclusion of trial will take a long time, 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 CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

27.04.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No