

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

CRM-M-1647-2017 (O & M)

Date of Decision: 27.01.2017

Raj Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. K.B.Raheja, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Raj Kumar has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.123, dated 23.02.2016, registered at Police Station City Sirsa, District Sirsa, under Sections 15, 16, 27 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued. Mr. Kuldeep Sharma, DAG, Haryana has put in appearance on behalf of the respondent-State and contested the instant petition.

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

From the record, I find that recovery of 51 kgs of poppy husk has been effected from the other accused, who has been released on regular

bail. As per the allegations, the present petitioner and one Vikram

purchased the poppy husk from Arjun. Recovery has not been effected from the present petitioner and he has been nominated on the basis of statement of co-accused. It is argued that Vikram has also been given the benefit of regular bail by this Court vide order dated 21.10.2016.

The petitioner has been in custody since 11.05.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner 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; without expressing any opinion on the merits of the case and on the ground of parity also, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

27.01.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No