

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

**CRM NO. M-21353 OF 2017 (O&M)
DECIDED ON : 11.07.2017**

Ompati

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Naresh Kumar, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.84 dated 28.02.2017 under Section 20 of NDPS Act, registered at Police Station Ghannaur, District Sonapat.

Learned counsel for the petitioner contends that as per the allegations contained in the FIR, the petitioner along with her husband was found in possession of 24 kgs of Bhang Patti, which is neither a narcotic nor psychotropic substance and hence, the provisions of Section 20 of NDPS Act are not attracted.

In support of his submissions, he has relied upon judgments of by this Court in "**Gurdial Singh v. State of Punjab**" 2002(3) RCR (Criminal) 334 and "**Arjun Singh v. State of Haryana**" 2004 (4) RCR (Criminal) 506.

Learned counsel further contends that the petitioner is already in custody for over four and a half months.

In view of the submissions made by learned counsel for the petitioner, which are prima facie supported by ***Gurdial Singh's*** and ***Arjun Singh's case (supra)***, wherein it has been held that Bhang Patti is not covered under Section 20 of NDPS Act, I deem it a fit case to grant the concession of regular bail to the petitioner.

Consequently, the instant petition is allowed. Petitioner is ordered to be released on bail on her furnishing bonds to the satisfaction of trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 11, 2017
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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable : | YES/NO |