

205.

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

CRM-M-25140-2017

Date of decision:20.07.2017.

AZAD

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Salil Dev Singh Bali, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.68 dated 06.05.2017 under Section 20 of NDPS Act, Police Station Bawani Khera, District Bhiwani, during the pendency of trial.

Learned counsel for the petitioner states that the allegation against the petitioner is recovery of 210 grams of charas which falls under non-commercial category. The petitioner is in custody since 06.05.2017 and there is no other case against him under the NDPS Act.

Learned State counsel, on instructions from ASI Sat Pal Singh, does not dispute the custody. However, he states that there is another case in FIR No.90 of 2004 under Section 379, Police Station GRP, Hissar, pending against the petitioner.

Heard, learned counsel for the petitioner.

The allegation against the petitioner is that he was found in possession of 210 grams of charas which is non-commercial quantity. He is in custody since 06.05.2017 and there is no other case against him under the NDPS Act. Since the trial in the case will take sufficient long time as even the challan has been presented without the FSL report, this Court is of the opinion that no useful purpose would be served by keeping the petitioner in custody.

Accordingly, the present petition is allowed and the petitioner-Azad is admitted on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

(HARI PAL VERMA)
JUDGE

20.07.2017
sanjeev

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No