

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM No. M-2802 of 2017 (O&M)

Date of Decision: 01.02.2017

Sanjay

--Petitioner

Versus

State of Haryana

--Respondent

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. K.S. Dhaliwal, Advocate for the petitioner.

Mr. Satish Sani, D.A.G., Haryana.

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**TEJINDER SINGH DHINDSA.J**

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.835 dated 20.09.2016 under sections 20 of N.D.P.S Act, registered at Police Station, Jhajjar, District Jhajjar.

Learned counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner is 900 grams of Charas.

Petitioner was arrested on 20.09.2016.

Investigation in the case is complete, challan stands presented but the charges are yet to be framed.

Trial as such would take time to conclude.

The alleged recovery from the petitioner is non-commercial.

Even though, the present petition is opposed by learned State counsel by submitting that the petitioner is a habitual offender and is involved in another case under the N.D.P.S Act, yet it has gone uncontroverted that in that case also the recovery was of a small quantity i.e. 4 grams of Smack and in which the petitioner was convicted and imposed a

sentence of five months and which he has undergone in the year 2010.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jhajjar.

Petition disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**01.02.2017**  
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Whether speaking/reasoned: Yes  
Whether Reportable: No