

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

**CRM-M No. 28070 of 2017
Date of Decision: 8.8.2017**

Amritpal

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. S.S. Gill, Advocate, for the petitioner
Mr. Satish Saini, DAG, Haryana

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for regular bail of the petitioner in FIR No. 166 dated 14.5.2017 under Section 15 of NDPS Act, registered at Police Station Madhuban, District Karnal.

Learned counsel for the petitioner contended that alleged recovery from the petitioner is of 40 Kg. poppy husk and i.e. non commercial quantity, more so, the petitioner is in custody for the last more than 3 months and decision of the case still take some more time; the petitioner is not involved in any other case of similar nature, so he may be released on bail.

Learned State counsel, on the basis of custody certificate, affirmed the fact that the petitioner is in custody since 14.5.2017 and there is no other case under NDPS Act against the petitioner. However, he opposed the bail application.

Having considered the submissions made by learned counsel

for the parties and the facts that alleged recovery from the petitioner is of 40 Kg. of poppy husk which is non commercial quantity and he is in custody since 14.5.2017 and no other case is against him; trial of the case is to take some more time, no useful purpose would be served by detaining the petitioner in custody, the present petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Area/Duty Magistrate, Karnal.

The present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

8.8.2017
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No