

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

CRM-M-30390 of 2017 (O&M).
Decided on:-29.08.2017.

Salim.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. S.S. Behl, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(ORAL)

CRM-26720-2017

Prayer in this application filed under Section 482 Cr.P.C. is for correction in the head note and the prayer clause of the petition to add Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter mentioned as the Act).

For the reasons stated in the application, the same is allowed and the Registry is directed to add Section 29 of the Act in the head note as well as prayer clause of present petition.

CRM-M-30390-2017

The petitioner has filed present petition under Section 439 Cr.P.C. seeking regular bail in case bearing FIR No.126 dated 17.04.2017 under Sections 15 and 29 of the Act registered at Police Station Naraingarh, District Ambala.

Learned counsel for the petitioner states that the allegation against the petitioner is that recovery of 45.50 Kgs poppy husk was effected from his possession. The petitioner is in custody since 17.04.2017 and there is no other case pending against him. The trial is at the initial stage as only the Challan has been presented. No prosecution witness has been examined so far.

On the other hand, learned State counsel, on instructions from ASI Roop Singh, does not dispute the stage of trial. However, he states that the petitioner is a resident of District Saharanpur (U.P.) and in case he is admitted on regular bail, there is possibility that he may abscond from the jurisdiction of the Court hampering the trial.

I have heard learned counsel for the parties.

Admittedly, co-accused, namely, Punjab Singh has already been granted regular bail by this Court vide order dated August 17, 2017 passed in ***CRM-M-26587 of 2017***. The recovered quantity of poppy husk from the petitioner is 45.50 Kgs, which is non-commercial. The conclusion of trial is likely to take sufficient long time as only the Challan has been presented so far.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court.

Since the petitioner is a resident of District Saharanpur (U.P.), he shall be required to furnish local surety at the time of furnishing bail bonds and the trial Court may put any other condition which it may deem fit in the facts and circumstances of the case.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

August 29, 2017
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No