

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

208

CRM-M-38317-2017

Date of Decision: 20.11.2017.

Devender Pal

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Lal Singh Sandhu, Advocate for the petitioner.

Mr. Surender Singh, Assistant Advocate General, Haryana.

Ramendra Jain, J.(Oral)

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case F.I.R. No.220 dated 23.07.2016 registered under Section 21C/61/85 of the Narcotic Drugs and Psychotropic Substances Act, at Police Station City Mandi Dabwali, District Sirsa.

According to the prosecution, on secret information, 23 bottles of corex weighing 100 ml each were recovered from car No.HR-24L-7738 occupied by four persons including the petitioner.

Learned counsel inter-alia contends that the petitioner was not in conscious possession of the alleged substance. The aforesaid bottles were lying in the car in which the petitioner was travelling, so the petitioner cannot be said to have in conscious possession of the same. The petitioner is

in custody since 23.07.2016 and no other case is pending against him.

On the other hand, learned State counsel vehemently opposed the bail to the petitioner.

Considering over all facts and circumstances, but without commenting anything on the merits of the case, the petition is allowed and the petitioner is granted regular bail, during the trial, subject to his furnishing bail bond and surety bond to the satisfaction of the trial Court.

(RAMENDRA JAIN)
JUDGE

20.11.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No