

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

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**CRM-M-44596-2017 (O&M)
DATE OF DECISION:28.11.2017**

MEHAR SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. N.S. Kamboj, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 68, dated 15.07.2017, under Sections 21, 29, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Jhansa, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused Jasmeet, Aryan and Jagminder Singh from whom 15.60 grams of heroin was recovered, which is much below the threshold of 250 grams of commercial quantity. He, however, states that the petitioner is in custody for over 02 months since his arrest on 31.08.2017.

Learned State counsel, upon instructions from ASI Richh Pal, states that the investigation has been completed and the challan has been presented.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is not named in the FIR and 15.60 grams of heroin, which is much below the commercial quantity, has been recovered from the co-accused, I deem it a fit case to grant concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner, namely, Mehar Singh is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate.

28.11.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned :	Yes / No
Whether reportable :	Yes / No