

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

CRM-M-9035-2017 (O&M)
Date of decision: 22.03.2017

SUMIT

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. DPS Bajwa, Advocate
for the petitioner (s).

Mr. Neeraj Poswal, AAG, Haryana

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.357 dated 22.12.2016, registered under Section 21 of NDPS Act, at Police Station Julana, Distt. Jind.

Contends that the alleged recovery is a non-commercial. The petitioner is in custody since 22.12.2016. He is not involved in any other case under NDPS Act.

On the other hand, the learned State counsel vehemently opposes the present petition and states that challan has been filed and out of 10 prosecution witnesses, none has been examined so far. He submits that the petitioner is a habitual offender and is involved in as many as 7 cases.

However, he fairly admits that he is not involved in any other case under NDPS Act.

Heard.

Considering the facts that the petitioner is in custody since 22.12.2016; challan has been presented; he is not involved in any other case under NDPS Act; and out of 10 prosecution witnesses, none has been examined so far, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

22.03.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No