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

**CRM-M No.10355 of 2018
Date of Decision: 22.03.2018**

**Dharmender @ Mandia
Vs**

.....Petitioner

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. P.K. Ganga, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.003 dated 03.01.2018 registered under Sections 21/61/95 of NDPS Act at Police Station Sirsa Sadar, District Sirsa.

Petitioner is accused of an offence under Section 21 of the NDPS Act. He was co-occupant of the car from where alleged recovery of 245 grams of heroine was made.

Learned counsel for the petitioner contended that petitioner is neither owner nor driver of the car. FSL report is still awaited.

Learned State Counsel on instructions from ASI Jagraj Singh submitted that though the recovery is of non-commercial quantity, but the petitioner as well as Sandeep son of Rai Singh took the vehicle from the original owner Amar Singh and both were found indulging in the offence when the naka was installed by the police.

Since the alleged recovery is of non-commercial quantity and FSL report is still awaited, at this stage, without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 22, 2018.

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No