

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

CRM M-151 of 2018

Date of decision : 08.02.2018

Ravinder @ Lakha

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. J.S. Attar, Advocate for the petitioner.

Ms. Tanushree DAG Haryana.

RAJAN GUPTA J.

Petitioner seeks concession of regular bail in a case registered against him under section 20 of the NDPS Act vide FIR No. 274 dated 10.07.2016 at police station Gannaur, district Sonapat. It has been urged before the court that petitioner and his co-accused were separately apprehended by the police. From the possession of petitioner, recovery of 320 grams of charas was recovered which admittedly is a non-commercial quantity. Out of nine witnesses cited by the prosecution, two have been examined till now.

This court does not wish to express any opinion on the merits of case. It would be open to the trial court to examine whether recovery effected from two accused has to be clubbed or taken as separate recovery. However, in view of arguable issues, this court feels that no useful purpose would be served by detaining the petitioner in custody. Accordingly, the

petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sonapat.

February 08, 2018
Ajay

(RAJAN GUPTA)
JUDGE

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