

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

**CRM-M-23118-2017 (O & M)
Date of decision: 16.02.2018**

Sahab Singh

.... Petitioner

V/s

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Lajpat Sharma, Advocate, for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Rajan Gupta, J. (Oral)

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No.40 dated 02.02.2017 under Sections 20 & 29-61-85 of NDPS Act at Police Station Kurukshetra University, Kurukshetra.

Learned counsel for the petitioner submits that recovery of heroin effected from the petitioner, is 1 Kg. 15 Grams, which is marginally higher than non-commercial quantity. He is stated to be in custody since 02.02.2017.

Learned State counsel has opposed the prayer for bail.

Heard.

Keeping in view the fact that the recovery effected from the petitioner is marginally higher than non-commercial quantity, period of his incarceration and the fact that the trial may take long time to conclude, no useful purpose would be served by detaining the petitioner during pendency

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

February 16, 2018
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No