

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

CRM-M-32810-2018 (O&M)

Date of Decision:-8.10.2018

Sunil

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanchit Punia, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.175 dated 3.7.2018 under Sections 20/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Adampur, District Hisar.

It is the case of prosecution that on 3.7.2018, a secret information was received by ASI Sahab Ram to the effect that the petitioner supplies 'ganja' and that he would be passing through Mandi Adampur on his motorcycle bearing registration No.HR-22M-9133, while on the way to Barwala. It is further the case of prosecution that pursuant to receipt of aforesaid secret information, the petitioner was apprehended and his search yielded recovery of 1.700 kgs. of 'ganja'.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case.

On the other hand, the learned State counsel has submitted that in view of the fact that the secret information was substantiated upon

apprehension of the petitioner and recovery of 'ganja' from him and also in the view of the fact that the petitioner is involved in another identical offence, no case for grant of bail to the petitioner is made out.

Having considered the rival submissions addressed before this Court and bearing in mind the kind of contraband and the quantity recovered and also that the petitioner has been behind bars since the last more than three months and also that the challan has already been presented, in my opinion, no useful purpose will be served by keeping petitioner behind the bars any longer. The petition, as such, is accepted. The petitioner Sunil is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Hisar.

However, in case the petitioner Sunil indulges in any other activity akin to same, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner Sunil.

This present petition stands accepted in above mentioned terms.

8.10.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No