

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

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**CRM-M No. 34862 of 2018
Decided on: 10.10.2018**

Gulzar Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. S.S. Gill, Advocate, for the petitioner

Mr. Karan Sharma, AAG, Haryana

Rajbir Sehrawat, J.(Oral)

Present petition has been filed under Section 439 of the Cr.P.C. for seeking bail pending trial to the petitioner in FIR No. 122 dated 4.7.2018, under Sections 15/27/29 of NDPS Act, registered at Police Station Ismailabad, District Kurukshetra.

Learned counsel for the petitioner contends that even as per the case of the police, the alleged recovery from the petitioner is 1.4 Kg. of poppy husk, which is much less than the prescribed commercial quantity. It is further contended that the petitioner is in custody since 4.7.2018. The challan has already been presented in the case. The trial is yet to start. The petitioner is not required for any investigation purposes. Hence, it is of no use to keep the petitioner in custody.

On the other hand, learned State counsel submits that there is one other case against the petitioner in which he was convicted for six months.

Be that as it may, however, without commenting upon merits of the case, the present petition is allowed in view of the submissions made by learned counsel for the petitioner. The petitioner is ordered to be released on bail during pendency of the trial on his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

10.10.2018

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No