

Sr. No.216

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

CRM No. M-34729 of 2017 (O&M)

Date of Decision: 26.03.2018

Rajdev

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Arpandeeep Narula, Advocate,
for the petitioner.

Mr. S.K.Saini, Assistant A.G., Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR
No.426 dated 16.06.2016, under Section 17 of NDPS Act, registered
at Police Station Sirsa, District Sirsa.

Counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 02
kgs. and 520 grams of opium was effected from the conscious
possession of the petitioner.

Petitioner was arrested on the spot and on 16.06.2016.

State counsel upon instructions from S.I. Nihal Singh,
Police Station City Sirsa apprises the Court that the trial has not
made much progress inasmuch as out of 16 prosecution witnesses
cited only 03 have been examined till date.

Trial as such would take time to conclude.

The alleged recovery from the petitioner would be

construed as marginally over and above the commercial quantity.

Petitioner has faced incarceration for a period of almost 22 months.

It stands conceded that petitioner is not involved in any other case under the NDPS Act.

Without making any observation on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Sirsa.

Disposed of.

26.03.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No