

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

217

**CRM-M No. 36517 of 2018
Decided on: 28.8.2018**

Radhe Sham @ Shamu

.....Petitioner

Versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Sandeep Kumar, Advocate, for
Mr. Vikram Singh, Advocate, for the petitioner

Mr. Vikas Malik, DAG, 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. 325 dated 15.7.2018, under Sections 18 and 25 of Narcotics, Drugs and Psychotropic Substances Act, 1985, registered at Police Station Butana, District Karnal.

Learned counsel for the petitioner contends that the alleged recovery from the petitioner is 245 grams of opium, which is not within the commercial quantity. It is further contended that the petitioner is in custody since 15.7.2018; challan has already been presented by the police and the petitioner is not required for any investigation purposes. There is no other case of any kind against the petitioner.

Learned State counsel, being instructed by ASI Satyawan, does not dispute the facts that the petitioner is in custody since 15.7.2018; challan has already been presented in the case and there is no other case against the

petitioner.

In view of the above situation, but without commenting upon the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

28.8.2018

Ashwani

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