

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

CRM-M-37529-2018

Date of decision:08.10.2018

Raj Kumar @ Raju

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana
assisted by ASI Lekh Raj.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of regular bail in a case registered vide FIR No.623 dated 03.07.2018, under Sections 21, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station City Sirsa, District Sirsa on the allegations that he was found in possession of 154 grams of Heroin.

The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the mandatory safeguards provided under the Narcotic Drugs and Psychotropic

Substances Act, 1985 have not been adhered to and thus the petitioner is entitled to be released on regular bail.

On the other hand, the learned State counsel has submitted that the petitioner is also involved in an another case for offence punishable under Section 394 of Indian Penal Code, 1860 registered in the year 2012. The learned State counsel has informed that challan already stands presented.

Having considered rival submissions addressed before this Court and bearing in mind the quantity of the contraband recovered which falls within 'non-commercial quantity' and also that the petitioner has been behind bars for the last more than three months and challan has already been presented, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner-Raj Kumar @ Raju 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 Sirsa.

This petition stands accepted accordingly.

08.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**