

CRM-M-37787 of 2018

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

CRM-M-37787 of 2018
Date of Decision: 06.09.2018

Jasvir

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Aakash Dalal, Advocate, for the petitioner.
Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Jasvir in a case arising from FIR No.193 dated 28.03.2018 registered under Sections 20 and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Dadri, District Charkhi Dadri.

According to the prosecution, on 28.03.2018, one Sahil son of Sajjan informed the police about having found 140 grams of charas in the tool box of motorcycle bearing registration No.HR-19L-0970, which he borrowed from one Puran son of Badlu. He further informed that the said charas was put by someone in the tool box of said motorcycle, while he was watching television at Morwala Bus Stand. Upon investigation, the police found the petitioner involved in the commission of crime and arrested him.

Learned counsel *inter alia* contends that the petitioner has not been named in the FIR. Recovery of 140 grams of charas falls under non-

commercial quantity and was not recovered from the petitioner. Petitioner is in custody since 09.07.2018. Co-accused of the petitioner namely,

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Paramjeet @ Billu has been granted regular bail by this Court vide order dated 12.07.2018 passed in CRM-M-27903 of 2018. The conclusion of trial will take a long time. No useful purpose would be served by detaining the petitioner in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail on the same parity as that in the case of his co-accused, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

September 06, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No