

S.No.213

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

CRM-M-40021 of 2018 (O&M)

Date of Decision:03.10.2018

PrincePetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.122 dated 04.07.2018 registered under Section 15/27/29 of NDPS Act, 1958 at Police Station Ismailabad, District Kurukshetra.

Counsel for the petitioner contends that there is no recovery from the petitioner in this case. The alleged recovery is of 1.4 Kg of poppy husk, but only from the co-accused of the petitioner. The name of the petitioner has been involved only on the basis of the disclosure statement of the co-accused. The petitioner is in custody since 24.07.2018. The challan has already been filed. The petitioner is not required for any investigation purpose.

On the other hand, learned State Counsel, being instructed by ASI Puran Dass, does not dispute the factum regarding recovery and the custody of the petitioner. However, it is pointed out that there is one more case pending against the petitioner and in that case, there is recovery of 900 grams of poppy husk from the petitioner.

As response to the above, counsel for the petitioner submits that in another case, the petitioner has already been released on bail. The petitioner is not in custody in any other case except the present one.

In view of the above submissions of counsel for the petitioner, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

October 03, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No