

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-40377-2018

Date of Decision:16.11.2018

Harjinder Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Sumeet Singh Brar, Advocate,
for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.0077dated 25.05.2018 under Section 21 of the NDPS Act, 1985, registered at Police Station Bara Gudha, District Sirsa.

Learned counsel for the petitioner has argued that the recovered quantity is 250 gms. Heroin from the dashboard of the car and the petitioner is in custody since 25.05.2018. Even otherwise, the recovered contraband falls under non-commercial quantity and there is no other case pending against him. Moreover, FSL report has not been received in the case.

Learned State Counsel on instructions from ASI Kamal Singh does not dispute the custody period and the quantity so recovered. He states that FSL report is still awaited.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 25.05.2018, FSL report has not been received in the case and no other has been pointed out against the petitioner, coupled with the fact that trial in the case is likely to take a long time, I deem it appropriate to admit the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution would be at liberty to seek cancellation of his bail.

November 16, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No