

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**
(211) **CRM-M-40814-2018**
Decided on: November 28, 2018.

BHUPENDER SINGH

.... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Deepak Garawal, DAG, Haryana.

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SUDHIR MITTAL, J, (Oral)

The petitioner seeks regular bail in case FIR No. 520 dated 06.10.2017 registered at Police Station Pehowa, District Kurukshetra, under Sections 15/29 of NDPS Act, 1985.

Learned counsel for the petitioner submits that the alleged recovery in this case is 20.100 kilogram of poppy straw. The said recovery has not been effected from the petitioner.

Learned counsel for the petitioner further submits that the petitioner has been in custody for the last about 05 months now but the trial is not likely to be concluded at an early date as only 02 PW have been examined out of 14 PWs. Thus, the petitioner be released on regular bail.

Learned State counsel opposes the prayer on the ground that the petitioner has been convicted earlier also under the NDPS Act 1985.

In rebuttal, learned counsel for the petitioner submits that the present case is an outcome of the earlier case because the petitioner has been

convicted in the earlier case, he has been involved in the present case and this is apparent from the fact that no recovery had been effected from him.

Without making any comments on merits of the case, and keeping in view the fact that the petitioner has been in custody for about 05 months now and that trial is not likely to be concluded at the early date, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Bhupender Singh, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

November 28, 2018.

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No