

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

CRM-M-44257 of 2017

Date of Decision: 18.01.2018

Shiv Darshan

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.471 dated 07.09.2017 registered under Sections 20,29 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') at Police Station Thanesar Sadar, District Kurukshetra.

It is contended that there is no recovery effected from the petitioner and he is in custody since 13.09.2017 .

Learned State counsel has placed on record the custody certificate of the petitioner in the Court today and the same is taken on record. The factum of 'no recovery' from the petitioner is fairly accepted by learned State counsel.

In view of the fact that the petitioner is in custody since 13.09.2017 and no other case is pending against him under the provisions of NDPS Act and report under Section 173 Cr.P.C. has already been submitted. The charges are yet to be framed. Hence, no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Shiv Darshan be admitted to bail on his furnishing bail bonds and two heave sureties in which one surety must be from local area subject to the satisfaction of the learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

January 18, 2018
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no