

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

**CRM NO. M-46814 OF 2018  
DATE OF DECISION : 29.10.2018**

**Pankaj Kumar @ Gori**

**...Petitioner**

**versus**

**State of Haryana**

**...Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Manvinder Sidhu, Advocate,  
for the petitioner.

Mr. Surinder Singh, AAG, Haryana.

**RAJBIR SEHRAWAT, J. (ORAL)**

Present petition has been filed for seeking bail pending trial in FIR No.211 dated 05.09.2018 for the offences punishable under Sections 20, 22 (c), 61 of NDPS Act, 1985 registered at Police Station Kalanwali, District Sirsa.

Learned counsel for the petitioner contends that even as per the case of prosecution, the alleged recovery from the petitioner is 700 gms of Ganja, which is less than even the small quantity. The second alleged recovery from the petitioner is of 1200 tablets of Tramadol, containing 120 gms of prohibited substance, namely Tredol. It is contended that even in this recovery, the prohibited substance is less than the commercial quantity. Learned counsel for the petitioner has relied upon the judgment of this Court rendered in **CRM-M-35080-2018;**

***Rajvir Singh @ Raju vs. State of Punjab*** decided on **21.08.2018**. It is further contended by learned counsel that the petitioner is in custody since 06.09.2018. There is no other case pending against the petitioner under the NDPS Act. The petitioner is not required for investigation purpose. Therefore, no purpose will be served by keeping the petitioner behind the bars.

On the other hand learned State counsel submits that there is heavy recovery from the petitioner. However, quantities mentioned by learned counsel for the petitioner, qua the prohibited substance, are not disputed by learned State counsel.

Keeping in view the submissions made by learned counsel for the petitioner, but without commenting any further on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial, subject to furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

**(RAJBIR SEHRAWAT)**  
**JUDGE**

**OCTOBER 29, 2018**  
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Whether speaking/reasoned : YES/NO  
Whether reportable : YES/NO