

S.No.218

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

CRM-M-47298 of 2018 (O&M)

Date of Decision:31.10.2018

Nirmal Singh @ Nimi @ Photo

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. J.K. Singla, Advocate
for the petitioner.
Mr. Surender Singh, AAG,
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.349 dated 04.07.2018 registered under Section 22-B of NDPS Act, 1985 at Police Station Ratia, District Fatehabad.

Counsel for the petitioner contends that even as per the case of the prosecution, the recovery from the petitioner is of 500 tablets of Tramadol Hydrochloride. He further contends that even as per the recovery, the actual prohibited substance in all the tablets comes to be in less than commercial quantity. Counsel for the petitioner has relied upon a judgment of this Court in **CRM-M-35080 of 2018 – Rajvir Singh @ Raju v. State of Punjab** decided on 21.08.2018, to support his contention. It is further contended that the investigation of the case is complete. The petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State points out that there have been two more cases against the petitioner under the NDPS Act only.

In response to this, counsel for the petitioner submits that in both the cases, the petitioner has since been acquitted.

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 31, 2018	(RAJBIR SEHRAWAT)
renu	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No