

S.No.222

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

CRM-M-47650 of 2018 (O&M)

Date of Decision:01.11.2018

Gian Chand and another

.....Petitioners

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ajay Kamboj, Advocate
for the petitioners.

Mr. Surender Singh, AAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioners under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.280 dated 28.06.2018 registered under Sections 15, 22(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Dabwali, District Sirsa.

Counsel for the petitioners contends that even as per the case of the prosecution, recovery from the petitioners is of 180 tablets of Tredol, which weighed 150 grams only as well as 150 capsules of Parvorin, which is similar to poppy husk and total weight of the recovery is 98 grams. Therefore, it is contended by the counsel that recovery from the petitioners is of non-commercial quantity only. The petitioners are in custody since 28.06.2018. It is further submitted that there is no other case against the petitioners. The investigation of the case is complete. The petitioners are not required for any investigation purposes.

On the other hand, learned counsel for the State, does not dispute the fact regarding the recovery and that the recovery from the

petitioners is of non-commercial quantity only. It is also not disputed that there is no other case against the petitioners.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioners be released on bail on their furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

November 01, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No