

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-47869-2018

Date of decision: 02.11.2018

Manoj @ Golu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Manoj @ Golu, in case FIR No. 260 dated 21.05.2018 registered under Section 20 of the NDPS Act, 1985 at Police Station SGM Nagar, Faridabad, Haryana.

According to the prosecution, the petitioner was caught red handed, carrying 5 kg 700 grams of 'Ganja; in a bag on his shoulder, whereas his co-accused, namely; Dinesh, was apprehended for carrying 25 kgs of 'Ganja' in two bags kept in front of his scooty.

Learned counsel *inter alia* contends that recovery effected from the petitioner falls under the definition of 'non-commercial quantity'. Petitioner is in custody since 21.05.2018. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the above submission of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Manoj @ Golu, is ordered to be released on bail pending trial, on his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

November 02, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No