

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

CRM-M-47146-2017

Date of decision: 23.02.2018

Sunil

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Jagjit Beniwal, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J (ORAL)

The petitioner seeks regular bail in FIR No.379 dated 31.07.2017 registered at Police Station Sadar Dadri, District Charkhi Dadri, under Sections 15 and 20 of the NDPS Act, 1985 and Sections 420, 467, 468, 471 of IPC (Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner has been named on account of disclosure statement of co-accused, who was arrested on the spot. On the said disclosure statement, 11.2 kg of Ganja was allegedly recovered from his residence. Thus, the submission is that non-commercial quantity of Ganja has been recovered on the basis of the statement of co-accused and, therefore, the rigour of Section 37 of the NDPS Act, 1985, is not attracted.

3. Learned State counsel does not dispute the aforementioned factual position.

4. Thus, keeping in view the facts and circumstances of this case and also that investigation is complete and the charge has already been framed, I deem it appropriate to order the release of the petitioner on bail during the pendency of the trial.

5. The petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court concerned at Charkhi Dadri.

23.02.2018

Dinesh

(SUDHIR MITTAL)
JUDGE

Whether speaking/non-speaking? Yes/No

Whether reportable? Yes/No