

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

CRM-M-49250-2018

Date of Decision:16.11.2018

Varinder

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present : Mr. Shokeen Singh Verma, Advocate
for the petitioner.

Mr. Sandeep Vashisth, D.A.G. Haryana.

KULDIP SINGH, J. (Oral)

Heard.

Petitioner seeks regular bail under Section 439 of the Code of Criminal Procedure in case FIR No.341 dated 01.09.2018 registered under Section 20 of the NDPS Act, 1985 IPC at Police Station Badhara.

210 grams of Charas is alleged to have been recovered from the petitioner. He was arrested on 1.9.2018. Recovery is non-commercial. Commercial quantity of Charas is of 1 k.g. In this case, challan has already been presented. Petitioner happens to be not involved in any other case.

Learned Additional Sessions Judge, Charkhi Dadri dismissed the bail application *inter alia* on the ground that offence is grave and “in order to ensure smooth and swift trial” bail is not allowed. I am of the opinion that detaining the accused in custody in order to ensure smooth and swift trial is not a correct view. Since conclusion of the trial would take time, there is no ground for further detention of the petitioner for inadequate period. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the trial Court, subject to any other condition so imposed by the trial Court.

A copy of this order be also sent to Sh. Arvind Nashier,
Additional Sessions Judge, Charkhi Dadri for future guidance.

16.11.2018
rajeev

(Kuldip Singh)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**