

212.

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

CRM-M-49905-2018

Date of decision:20.11.2018.

SURENDER

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Robin Lohan, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.570 dated 28.08.2018 registered under Section 20(b)(ii) of NDPS Act, 1985 at Police Station Dadri Sadar, District Charkhi Dadri.

Learned counsel for the petitioner states that apart from the fact that the petitioner is in custody since 28.08.2018, the alleged recovery is 1 kg 25 grams of 'ganja' which is slightly higher than the small quantity. Challan in the case has been presented and the trial will take sufficient long time. There is no other case against the petitioner.

Learned State counsel, on instructions from ASI Pawan Kumar, does not dispute the custody and the quantity.

I have heard learned counsel for the parties.

Considering the fact that the recovered quantity of 1 kg 25 grams of 'ganja' is slightly higher than the small quantity, petitioner is in custody since 28.08.2018 and the trial in the case will take sufficient long time as only charge has been framed and no prosecution witness has been examined, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

20.11.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.