

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-753 of 2018
Date of Decision: March 07, 2018

Satnam Singh @ Satta

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. S.S. Gill, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 555 dated 09.11.2017, registered under Section 21/61/85 of NDPS Act at Police Station Shahabad, District Kurukshetra.

Learned counsel for the petitioner contends that recovery effected from the petitioner is 85 grams of Smack (heroin), which is non-commercial quantity. The investigation is complete and the challan has been presented. However, the trial has not yet commenced and its conclusion will take some time and, therefore, no useful purpose would be served by keeping the petitioner in custody.

Learned State counsel does not dispute the factual averments of learned counsel for the petitioner. He has filed custody certificate dated 06.03.2018 prepared by Sh. Vishal Chhibber, Deputy Superintendent, District Prison (Kurukshetra) in the Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of three months and twenty three days.

Keeping in view the fact that the investigation is complete and that the trial is likely to take some time to conclude, no useful purpose will be served by

keeping the petitioner in custody. Another factor which is taken into consideration is that non-commercial quantity has been recovered from the petitioner. Thus, it would be just and appropriate to release the petitioner on bail.

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

March 07, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No