

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

CRM-M-1495-2019(O&M)
Date of decision: 18.01.2019

Ravi Kumar @ Labu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. R.S.Mamli, Advocate
 for the petitioner.

Mr. Munish Dev Sharma, AAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No. 276 dated 22.11.2018 under Sections 21, 61, 85 of NDPS Act, registered at Police Station Babain, District Kurukshetra.

Learned counsel for the petitioner contends that even as per the case of the prosecution, the allegation against the petitioner is regarding recovery of 15 grams of heroin, which is a non-commercial quantity. The petitioner is in custody since 22.11.2018. Challan has already been filed in this case. The petitioner is not required for any investigation purposes. The trial is likely to take long time. Hence, the petitioner deserves to be released on bail.

On the other hand, learned counsel for the State submits that there is another case also against the petitioner under the NDPS Act. However, it is not denied that the alleged recovery from the petitioner in this case is a non-commercial quantity.

In response to the submission made by learned counsel for the State, learned counsel for the petitioner submits that in the another case referred to by the State counsel also, the petitioner is on bail.

In view of the above, but without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

18.01.2019

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No