

CRM-M-3063 of 2019

Date of decision : February 01, 2019

Jatinder @ Jeeta

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWANPresent : Mr.P.S. Sekhon, Advocate
for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer made in the petition is for quashing the order dated 2.1.2019 (Annexure P3) vide which the application filed by the petitioner for granting exemption was dismissed and warrants of arrest issued in FIR No.72 dated 6.6.2018 under Sections 21/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Ding, District Sirsa.

Counsel for the petitioner submits that as per the prosecution version, 245 grams of heroin was recovered, which is of a 'non-commercial' quantity and vide order dated 26.7.2018 passed in CRM-M-30635 of 2018, the petitioner was granted interim bail awaiting the report of the FSL/Chemical Examiner.

Counsel for the petitioner further submits that on receiving the report of the FSL, the case was listed for 21.1.2017 and he moved an application for exemption on the medical grounds but the same was dismissed.

Learned State counsel, on instructions from ASI Sumit Kumar, submits that since the report of the FSL has been filed, which is positive for the psychotropic substance, therefore, the petitioner is required to surrender before the trial Court and apply for the regular bail.

In view of the same, the petition is disposed of and the petitioner is directed to surrender before the trial Court within a week and the trial Court is further directed to dispose of his regular bail application within a week thereafter.

February 01, 2019
satish

(ARVIND SINGH SANGWAN)
JUDGE