

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-5834-2019 (O & M)

Date of Decision: 10.04.2019

MOHAMMAD MUNIR

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 640, dated 11.07.2018, under Sections 21 and 61 of the NDPS Act, registered at Police Station City Hisar, District Hisar.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that 10 grams of smack have been recovered from the petitioner which is less than the threshold of commercial quantity of 250 grams. He also contends that the petitioner is in custody for over 9 months since his arrest on 11.07.2018. He further contends that the petitioner was involved in another case but he has been acquitted.

Learned State counsel, on instructions from HC Shish Pal states that upon completion of investigation in the case, the challan has been presented but no prosecution witness has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when non-commercial quantity has been recovered, the petitioner is in custody for over 9 months and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

April 10, 2019

A.Kaundal

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No