

CRM-M-11205-2019

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

**CRM-M-11205-2019
Date of decision : 17.12.2019**

Sarwan KumarPetitioner

vs

State of U.T.ChandigarhRespondent

**CORAM : HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Davinder Lubana, Advocate for the petitioner.

Mr.Gautam Dutt, APP. U.T., Chandigarh.

HARINDER SINGH SIDHU, J.

This is a petition for the grant of regular bail to the petitioner in case FIR No. 344 dated 06.12.2018, under Section 21 of the NDPS Act, registered at Police Station-Sector-Mauli Jagran, U.T. Chandigarh.

The allegation contained in the FIR is that 50 grams of heroin was recovered from the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. More so, the alleged recovery is a non-commercial quantity. The investigation in the case is complete and the petitioner is in custody since 06.12.2018.

Opposing the petition, learned APP for the UT Chandigarh states that the petitioner does not deserve any leniency.

Without commenting anything on the merits of the case and also

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bearing in mind the fact that the petitioner is in custody since 06.12.2018 and is not wanted in any other case, in my opinion, no useful purpose would be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. Petitioner Sarwan Kumar is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case the petitioner indulges in any activity akin to one for which he has been convicted, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

The present petition stands accepted accordingly.

HARINDER SINGH SIDHU)
JUDGE

17.12.2019
sunita

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