

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CRM-M No. 12322 of 2019
Date of Decision: 25.3.2019**

Lotam Ram

.....Petitioner

v.

State of Haryana

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Sandeep Verma, Advocate for the petitioner

Mr. Munish Sharma, AAG, Haryana

RAMENDRA JAIN, J. (ORAL)

Through this petition filed under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No. 453 dated 16.11.2018, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station City Murthal, Sonapat.

According to the prosecution, on 16.11.2018, the petitioner was caught red handed with conscious possession of 820 grams of charas, without any permit or licence.

Learned counsel contends that the alleged recovery of charas effected from the petitioner falls under the category of “non-commercial quantity”. The petitioner is the first offender. He has falsely been implicated in the instant case. Conclusion of trial may take sufficient long time and no useful purpose will be served by detaining the petitioner behind bars.

On the other hand, learned State counsel vehemently opposed the above submission of learned counsel for the petitioner.

Having given thoughtful consideration to the submissions made by learned counsel for the parties, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, the petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(RAMENDRA JAIN)
JUDGE

25.3.2019
Ashwani

Speaking/reasoned	Yes/No
Reportable	Yes/No