

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-14091-2019
Date of Decision: 03.04.2019

GULCHHI @ KULDEEP

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.P.S. Sekhon, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.87, dated 23.02.2018, under Sections 15 and 31 of the NDPS Act, registered at Police Station Ratia, District Fatehabad.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he and his co-accused have been found in possession of 16½ Kgs of poppy husk which is less than the threshold of commercial quantity of 50 Kgs. He also contends that the petitioner is in custody for over 3½ months since his arrest on 19.01.2019.

Learned State counsel, on instructions from ASI Parveen Kumar is not in a position to controvert the submission made by learned counsel for the petitioner.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the recovery is of non-commercial quantity of poppy husk, the

petitioner is in custody since 19.01.2019 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 03, 2019

A.Kaundal

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