

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

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**CRM-M-15504-2019
DATE OF DECISION: 04.07.2019**

SUCHA SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. R.K. Doon, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.87, dated 23.02.2018, under Sections 15 & 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 16^{1/2} Kgs of poppy husk which is less than the threshold of 50 Kgs as commercial quantity. He further contends that the petitioner is in custody for over 4 months since his arrest on 10.03.2019. He also contends that the co-accused namely Gulchhi @ Kuldeep has been granted regular bail by this Court in CRM-M-14091-2019 on 03.04.2019.

Learned State counsel, upon instructions from ASI Amarjit, is not in a position to controvert the submission made by learned counsel for the petitioner. He, however, contends that although challan has been filed but no witness has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the recovery is of non-commercial quantity of poppy husk, the petitioner is in custody for almost 4 months, the co-accused namely Gulchhi @ Kuldeep has been granted regular bail and the 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.

04.07.2019*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No