

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15993-2019 (O&M)
Date of decision: 29.11.2019

Jitender Kumar @ Jeeta

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Madaan, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this 3rd petition is for grant of regular bail in FIR No.72 dated 06.06.2018 under Sections 22/61/85 of NDPS Act, registered at Police Station Ding, District Sirsa; earlier one was dismissed as withdrawn on 21.02.2019.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police recovered 245 grams of heroin from the petitioner and 310 grams of heroin was recovered from co-accused Aman vide separate recovery memos. It is further submitted that since the recovery has been effected separately, the same was of non-commercial quantity. Learned counsel further submits that the petitioner was initially granted the concession of interim bail by this Court vide order dated 26.07.2018 passed in CRM-M-30635-2018 and on presentation of the challan, he surrendered before the trial Court on

07.02.2019 and the case is still at the stage of framing of charge.

Learned counsel for the petitioner has further submitted that the petitioner is not involved in any other case under the NDPS Act and is on bail in 01 FIR under IPC. It is also submitted that health condition of mother of the petitioner is deteriorating and even he is not maintaining good health.

Learned State counsel, on the basis of affidavit of Additional Superintendent of Police, Sirsa and on verification about health condition of mother of the petitioner, who is stated to be residing with him and is suffering from CAD SVD unstable angina, mild LV dysfunction and requires PCA to LAD (Coronary Angiography) and also on instructions from HC Kuldeep Singh and on the basis of custody certificate, could not dispute the fact that the petitioner, after his surrender, is in custody since 07.02.2019 and the case is still at the stage of framing of charge.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

29.11.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No