

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

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**CRM-M-17321-2019 (O&M)
Date of Decision :10.5.2019**

Amrika

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Anil Kumar Malik, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.679 dated 26.7.2018 registered under Sections 20 of NDPS Act, 1985 at police station Model Town, Tehsil and District Panipat.

As per the allegations, the police had received information that the petitioner and another person had taken room on rent. The owner of that room had complained that for the last three months the room was found locked and even the rent was not paid to him. He doubted that there was some narcotic substances over there. On the information having been received the lock of the room was opened and 113 kg 'ganja' was recovered.

Custody certificate dated 9.5.2019 filed by way of affidavit of Sanjay Bangar-Dsp2, Deputy Superintendent, District Prison (Karnal)-Haryana has been filed, the same is taken on record. Copy has been

supplied to the opposite counsel. As per the custody certificate, the petitioner has been in custody for 2 months and 24 days and no case is pending against him.

The precise contention of the learned counsel for the petitioner is that if the room was locked for three months it cannot be said that ganja was stocked there by the petitioner. He further states that actually the petitioner has got married in Bihar and since then he has been living there.

Learned AAG on instructions from ASI Yashveer Singh has accepted these factual assertions.

Without commenting on the merits of the case, keeping in view the above facts and the period of incarceration already suffered by the petitioner, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly, Bail to the satisfaction of the concerned Trial Court/Duty Magistrate.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

10.5.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No