

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-17351-2019(O & M)

Date of Decision: 10.05.2019

TINKU @ BITTU

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Lather, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 45, dated 26.02.2019, under Sections 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Narwana, District Jind.

Learned counsel for the petitioner contends that the allegations in the FIR against the petitioner are that poppy husk weighing 1 kg 600 grams was recovered from him which is just above small quantity of 1 kg and much below the threshold of 50 kg as commercial quantity. He further contends that the petitioner is in custody for over 2 months and is not involved in any other case.

Learned State counsel on instructions from HC Devinder Singh states that the challan has been presented but no prosecution 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, the petitioner is in custody for over 2 months 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

May 10, 2019

A.Kaundal

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No