

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-40783-2018 (O & M)

Date of Decision: 04.04.2019

BAGGA SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Manjot Kaur, Advocate for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.22, dated 11.01.2018, under Section 21 of the NDPS Act, registered at Police Station Pehowa, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner has been found in possession of 24 grams of smack which is less than the threshold of commercial quantity of 250 grams. He also contends that the petitioner is 62 years of age and is in custody since 22.08.2018. He is involved in other cases but in all those cases, recovery is of non-commercial quantity.

Learned State counsel, on instructions from ASI Baljinder Singh is not in a position to controvert the submission made by learned counsel for the petitioner. He contends that 6 out of 12 prosecution witnesses have been examined and now the matter is listed for hearing on 03.05.2019.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the recovery is of non-commercial quantity, the petitioner is in custody for over 9 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

April 04, 2019

A.Kaundal

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No