

CRM-M-23426 of 2019

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

CRM-M-23426 of 2019
Date of Decision: 28.05.2019

Darshan Singh @ Bhatti

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Subhash Godara, Advocate, for the petitioner.
Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant second petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.92 dated 08.02.2019 registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Thanesar, District Kurukshetra.

Petitioner is facing trial in the aforesaid FIR on the allegations that on 08.02.2019 petitioner was apprehended with conscious possession of 38 kgs 500 grams of poppy husk, without any permit or licence.

Learned counsel for the petitioner *inter alia* contends that alleged recovery falls under the category of “non-commercial quantity”. Petitioner is in custody since 08.02.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the

grant of regular bail to the petitioner.

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Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

May 28, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No